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Dispatch 279 R958-G

Mr Bingham

No 195 One Enclosure

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Legation of the United States

Peking, October 5, 1872.

Frederick F. Low

to

Department of State

Subject.

French affairs in China.

Encloses translation of a paper on the subject by M Gignel, in which the situation is ably reviewed.

No 195 One Enclosure

Legation of the United States
Peking, October 8, 1872.

Sir:-

In the Revue des Deux Mondes for May 1872 there appeared a paper entitled, "La Politique Francaise en "Chine depuis les traites de "1858 et de 1860" The author is Prosper Giquel Esq, a French subject, who has been for some years and is now Superintendent of the Arsenal at Foochow.

Hon Hamilton Fish This
Secretary of State

This paper has been translated into English and republished in one of the Hong Kong newspapers. A copy of the English version I beg to send herewith.

M. Gigot has resided in China many years, has a good knowledge of the language, and has the reputation of being an intelligent, able, and honest man.

It will be observed that the writer reviews the situation from a purely French standpoint; and while his declarations in regard

regard to French interests in China may not be altogether flattering to the pride of his Countrymen, they appear to have been written in an independent and impartial spirit, and are truthful. The same remark will apply to the criticisms upon French Concessions.

With reference to Romish Missionary enterprises and the action of the French Government respecting them, the Department is in possession of my views concerning this whole subject. It may not prove uninteresting

or

or unprofitable to compare them with those contained in the essay enclosed.

Without professing entire concurrence in the statements of fact put forth by M. Giquel, or the deductions drawn from them, this paper as a whole, is one of the ablest reviews of the situation in China that has come under my notice. I therefore commend it to you as worthy of careful perusal.

I have the honor to be

Sir,

Your Obedient Servant

Frederick F. Low

Enclosure

No 1 English version of a paper concerning French affairs in China by Mr Giquel

Enclosure N° 1
Despatch N° 195

From the "Revue des Deux Mondes" of May 1. 1872; translated into English and republished in the Hong Kong "Daily Press" of July 13, 16, 18, 22 and 25, 1872.

M. GIQUEL'S PAMPHLET.

(Translated from the "Revue des Deux Mondes.")

The sad events which suddenly took place in China in the month of June, 1870, and are known under the name of the Tientsin Massacre, are facts from which France should at last extract the lesson of adopting a wise foreign policy. It is not sufficient that the Tientsin affair should be at an end; we ought to ascertain whether a similar tragedy may not be reproduced, and what are the means to prevent its return. We have this time found China ready to recognise the wrongs she had committed, and to repair them; but we ought not to neglect the warning which has been given to us.

We purpose in this essay to show where our true interests in China lie, and to define their exact extent. We shall examine what are the conditions of our commerce in this country, as well as the position of the Catholic missions which France has taken under her protection, and by what means it would be possible to secure to those different interests a solid basis exempt from danger. For the better enforcing the advisability of adopting a prudent and reserved policy, we shall endeavour also to explain what sacrifices France should be ready to make, if one day she found herself compelled to again take her troops on the road to Pekin.

I.

It is useless to look for French merchants in any other port of China than Shanghai. Among the foreign houses who conduct at this city a trade in Silk, there are only five French, who export 6,000 to 8,000 bales annually, against 45,000 bales, which is the average total export. If we add three or four retail shops, the Agency of the Messageries Maritimes and the Comptoir d'Escompte, we shall have the exact return of our commercial establishments. This was precisely the state of affairs at Shanghai in 1864. The Messageries' Company, whose magnificent packets continue to justify their reputation on the Indo-Chinese and Japan line, has not even, in respect to Silk business, realised the anticipations which might have been formed in 1864. Of the Silks which she brings to France some 10,000 bales at the outside remain in the warehouses of Marseilles and Lyons; the larger portion simply crosses France to go to the English markets.

The port of Shanghai itself, apart from French interests, has seen its prosperity considerably increase. The Import and Exports comprehend only a small number of articles, of which the principal are Opium, Cotton and Woollen fabrics, Metals, Matches and Coals; the Exports are composed of Tea, Silk and Spices. To the sum of these exchanges has to be added that of large local operations; lines of steamers, assurance companies, banks, &c. The number of commercial establishments is not under 150. The port generally has at the anchorage 80 vessels, sailing and steam, of which France numbers but three or four sailing vessels and the steamers of the Messageries Maritimes, which await the mail. In fine, Shanghai is united to Europe since the opening of the Suez Canal, by almost daily departure of steamboats; on the other hand, the submarine telegraph enables the residents to receive immediate news from their correspondents either by way of India or Russia. Still imports, exports and shipping give to our country only a very small profit, and if one calculated, like the English, for whom the Government only gives protection to the establishments of its nationals abroad in proportion to the utility which it derives from them, a single Consulate, supported by one man-of-war, would be all that France would owe to its commerce at Shanghai. We have, however, found the means of creating for ourselves at this port a responsibility which may at a given moment call for an active intervention on our part, and this in regard to a piece of land which does not belong to us, but over which we claim to exert a veritable protectorate. This piece of land is called the *French Concession*.

It is known that the word "concession" designates in China land set apart, at the ports open for trade, for the use of foreigners. The term is, however, inappropriate, because foreigners are only perpetual lessees of these lands, and pay an annual rental to the Chinese Government. What has caused such a denomination to be adopted is, that foreigners enjoy in these places a species of municipal authority, designed to secure them a system of maintaining roads, of police, and of commercial conveniences in accordance with their habits. There have been made on this principle three concessions—the English Concession, obtained, or rather laid out, in 1846, and enlarged in 1861; the French Concession obtained in 1849, and enlarged in 1861; and the American Concession, which dates from 1849. They should have been at first placed under the municipal regulations published in 1854, with the sanction of the Chinese authorities, and that of the Consuls of England, France, and the United States; but these regulations, at once put in force on the Anglo-Saxon Concessions, could not be enforced on ours, the French Government at that time sympathising but little with the principle of municipal organisations, having refused to admit them.

In order properly to understand how the Chinese Government could on its own territory delegate in a measure its own functions and rights of administration to foreigners established in the country, it is necessary to remember that by the Treaties these are under the *regime* of *exterritoriality*, according to which they are governed only by their own

Consuls. The object of this arrangement was to guard foreigners from unjust legal procedure, and from the penalties of the Chinese code; it also has the effect of saving their *amour propre* from the surveyance and vexation of a native Police. Thus, a special service maintains order in the Concessions. It acts under the control of the Consuls and of the Communities themselves, or their representative. On the other hand, the white race needs in a climate difficult to support, plenty of air and plenty of land—broad streets and promenades—necessaries quite ignored in China. Finally, the sailing vessels and steamers require, for the convenience of operations, quays and wharves, which were not necessary for the Chinese junks. Hence the necessity of a system of roads and public works, which foreigners only can organise.

The regulations above mentioned have provided for these various wants by the establishment of a municipal administration. They have been applied on the English and American Concessions by people accustomed to see a similar system at work in their own countries. The Municipal Council of the English Concession should at first be only composed of British subjects; but as foreigners of all nationalities equally came to fix their residence there, and it was found advantageous to receive them, the Municipal Council was soon thrown open to all. In 1862 the English and American Concessions were united, and were since that called simply the Foreign Settlement *(Concession)*, and have become in reality neutral territory. This fusion of interests apparently diverse has produced its fruits, and has made Shanghai a flourishing cosmopolitan republic.

We may be permitted to give some details as to the organisation of this novel Colony. The Concessions enclosed various elements which it was desirable to join. Thus, it was necessary not to take away from the Chinese Government the sovereignty of the soil which it had never intended to abandon; it was necessary to leave to the Consuls the authority which is granted to them, and which includes judicial powers over their nationals; finally, it was necessary to satisfy the stipulations of the Treaties by which the Consuls alone could communicate directly with the Chinese authorities. It was also seemly and wise to make them the heads of the community, while still leaving to the Municipal Council, emanating directly from the residents, sufficient liberty of action. It was by bearing in mind these different conditions that the regulations for the administration of the neutral Settlements at Shanghai were elaborated. The sovereigty of the Chinese Government, already acknowledged by the land tax, which the foreign residents have to pay, is recognised in many ways; the purchases or transfers of lands delivered by the Consuls to the contracting parties have to be stamped with the seal of the local authorities; these have the right to levy taxes in the Settlements,* provided those taxes are such as are common throughout the Empire, and not specially made on the place; they can arrest their nationals in the Settlements, after their warrant has been countersigned by one of the Consuls. As to these last, although the Police and the Municipal Service are not placed directly under them, it is before them that the delinquents are brought for breach of the public peace, refusal to pay taxes, and other offences of this nature. General measures before being submitted for the sanction of the Ministers Plenipotentiary, and of the Chinese Government, are discussed by the Consular body in council. The taxpayers meetings are convened by the Senior Consul at fixed periods, or when a requisition is sent in by a sufficient number of residents; it is also the Senior Consul who presides at the sitting. The taxpayers vote the taxes upon rentals, land, and the landing and shipment of goods which pass over wharves. The Municipal Council is elected by the taxpayers; it levies the taxes, and applies them to the works on the road, to the expenses of the Police, and to the various Municipal services placed under its exclusive direction.

The Police, formed in part of foreigners and in part of Chinese, acts in the name of the Council, without the latter having judicial and repressive powers, which belong to the Consuls in the case of foreign defendants, and to a mixed tribunal composed of an Consular Employé and a Mandarin in the case of Chinese defendants. The Municipal Council can be sued by summoning its president before the Consul of the nation to which he belongs, or before the English Supreme Court, according to the case. Such are the extremely simple bases of an organisation with the assistance of which a population of 2,500 foreigners, 1,000 people belonging to the sea, and 100,000 Chinese, is administered in the most satisfactory manner by a half-dozen mercantile men (Bourgeois), without any intervention, having under their orders a Police of about 110 men.

France has seen fit to remain isolated at Shanghai, and to have a separate administration next to the neutral Settlements, on which the other nationalities are domiciled. The regulations which ought to be common to the three Settlements having been, as we have seen, rejected by the Government of Napoleon III., our Consul was charged with administering alone the French Concession. The situation soon became difficult in consequence of the increase of the Chinese population, the rebellion then raging throwing refugees by thousands into the Concession, and by the enlargement of the Concession, to which in 1861 was joined a large Chinese quarter which had been burnt, consequent on the necessities for defending the City (of Shanghai). Isolated on all sides, the Consul set about creating a Municipality which was still established on the principle consequent on the Imperial system, that the administrative Council would be delegated by the Consul, not, as on the neighbouring Settlements by the taxpayers. The actions of the Consul, of the Council, and of the taxpayers inaugurated according to this principle were sanctioned by official regulations in 1866. The Concession was therein treated like a land ceded to France in the true sense of the word.

These regulations did not result from the proposition of the taxpayers, it was the Minister of Foreign Affairs who sent them all in a batch, and without submitting them to discussion. They have left the Government in the hands of the Consul, who, however, takes the advice of the Municipal Council, composed of eight members; four French and four foreigners. This Council deliberates under the presidency of the Consul on the Budget, and receipts and expenses, and on the works and roads; the only action of the taxpayers is to elect the members and approve their action. The Consul makes up the Electoral list, and convenes the electors; he has the right to suspend and dissolve the Council, which besides does not meet except by his invitation. He can equally prevent the execution of the deliberations by an injunction, under reserve of the sanction of the Minister of France.

* Subsequently to the use by the Author of the expression "concessions neutres," the word "concession," where it clearly has that meaning, is translated "Settlement."—Ed.

The Council is called upon to submit to his approbation the nominations which he makes to the posts in the Municipal Service The maintenance of order and public security on the Concession, as well as the direction of the Police, the expense of which is defrayed from the Municipal Budget, is exclusively the attribute of the Consul; he names the Police Agents, suspends or revokes them. No foreigner can be arrested within the limits of the French Concession even in virtue of a warrant emanating from a judge or tribunal of his nation, without the authority of the Consul and the concurrence of his agents. On the neutral Settlements, on the contrary, every Consul causes his nationals to be arrested when he desires it. It will be seen that France has made regulations here as on her own territory. Her representive is a Prefet imperial in the full éclat of his authority. He is absolute master of a Police in the payment of whose cost France takes no part, and which also with tolerable coolness (assez de sans gêne) is declared specially to be paid for by a Municipal budget, which is furnished for the most part by non French residents or Chinese subjects.

It is easy to perceive the embarrassment which this isolation, and this egotistical conduct, so little in conformity to her generous character, may create for France. It imposes upon her the duty of alone defending this corner of earth which brings her in nothing, and on which up to the present she has been unable to develop her commerce or her industry. On the Anglo-American Settlements, no one nationality has more moral responsibility than the other for the defence of the residents. If England is held, in case of need, in consequence of the superior development of her material interests, and the large number of her nationals and men-of-war, to be the power to take material charge of the greater part of the means of action which she has acquired by rendering her settlement neutral, [she has] the moral right to appeal to the concurrence of the others. We, on the contrary, before a danger which might menace our Concession, to what could we have recourse?

The French Concession, besides 60,000 Chinese, numbers about 460 Foreigners; of which 232 are French, of whom 20 or so are real merchants, and the others either dependents on the Police and Municipal Service, or only in a state of passage, and form only a floating group. The larger portion of the French Houses of business are not even established on our Concession, but are dispersed on the neighbouring Settlements, where they are nearer to the banks, and where there is a greater choice of residence. It may, therefore, be affirmed that the Concession is without any importance to our commercial interests, and we take only a feeble part in the sufficiently considerable movement in business which has to be recorded. We have, it is true, sufficiently extended landed interests, as it was an excellent speculation to buy land and build hastily slight houses, which would serve as a asylum to the refugees from the rebellion; but this speculation was but an affair of time. The wave of refugees forced onwards by the storm has retired with the calm; the lands have lost their value, and have passed into other hands. The French are no longer the sole proprietors, or to speak more accurately, the only lessees of the land on the Concession. Many titles have been transferred to individuals of other nationalities. It may be said in favour of our Concession at Shanghai, that the interests of the work of propagating the Faith are largely represented, that several missions have their establishments there, which take charge of the lands and houses, the place of which serves to keep up the Missions, which the Parochial Catholic Clergy build. We reply that Missionaries are spread all over China, that there is no more reason for protecting them here than elsewhere, that, finally, their security would be just as well guaranteed on a neutral settlement as under the special guard of France, who cannot even always leave one gunboat anchored permanently at Shanghai.

For the rest, we recognise willingly that the administration of our Concession, especially during late years, has been wisely conducted. The Chinese, treated with justice and kindness, have found themselves more than once protected against the exactions of the innumerable hangers-on which Mandarins carry in their suites The Police, composed of 52 men, fulfils perfectly its part. The Municipal Council has always shown commendable zeal, and the most perfect integrity. The finances are not burdened by any loan. Public works have not been neglected; the quays are more handsome than on the adjoining settlements, and afford more commodious wharves to the steamers and sailing vessels which come alongside. Gas lights up the streets, which are well kept.

To bring our Concession into a normal state, it would only be necessary to join it with the others, making at the same time some reservations to secure the positions acquired, and to regulate the transfer. These reserves would consist in stipulating that for a certain number of years the administration of the land of the Concession would be continued by Delegation, of which a certain number of French should form a part. The French Consul would always serve as *intermediaire* between the Municipal Council and the Chinese authorities on Municipal questions relating to the Concession, a part which the English and American Consuls perform in the neighbouring Settlements. Finally, the Police should be placed under orders of the elective Council.

We have also in China Concessions at other places than Shanghai, for example, Tientsin and Canton. Of these we will only say one word. As there is not found there, and will not be found there, for a long time, a single French merchant, the proper course to take is to get rid of them as soon as possible, and to return them to the Chinese Government.

II.

The time has come for France to occupy herself with a question which England has already treated, and which she has also broken off in a very unexpected manner, namely, the revision of the Treaties concluded at Tientsin in 1858, and ratified in 1860. It was stipulated then that the Tariff duties and the arrangements relative to commerce might be revised and reformed. This revision for France ought to be understood in a larger sense, and may be applied to the whole of her Treaty. The time came for the English in 1870, for us it falls in 1872. Therefore, of the two classes of nationals which we have in China, the merchants and the Missionaries, the former have no other interests than those of English commerce; as to the second, it must be said that in point of advantages and privileges, they have nothing more to obtain. The Treaties grant them all that they can desire.

In what regards the interests of commerce, the complete reports which the Cabinet at London has obtained on the subject of the revision, both from its Agents and from the

Chambers of Commerce at the different ports of China, are sufficient to enlighten us. Nothing can be added to the Blue Books presented to the English Chambers. From 1868 to 1870, the whole of the English engaged in commerce were actively occupied with this matter, and negotiations were opened at Pekin. From these negotiations was born a Convention, of which the Chinese Government had accepted the clauses, and which is known by the name of Sir Rutherford Alcock's Convention, he being the signer and originator of it. The *Revue* has already given the principal features of this Convention, which caused general discontent, and the opposition on the part of the merchants of the United Kingdom was such that the Government rejected it. It enclosed at the same time some modifications which would have secured important advantages to foreign trade. The English, after having asked a great deal, and having relatively obtained little, preferred to remain in the *statu quo*, and to renounce the benefit of the revision.

The new advantages which English commercial men demanded may be classed as follows: (1) Modifications of the tariff on certain articles; (2) Protection to merchandise belonging to English against inland taxes, Octroi dues, war levies, or other taxes which the Chinese might levy on their transit, and which the merchants declare illegal; (3) New commercial facilities, such as the right for foreigners to establish themselves in the interior of the country; the creation of railways and telegraphs; permission for steamboats to take part in the inland navigation of the rivers and canals; the working of mines, especially those for coal; (4) the opening of new ports for the establishment of foreign commerce, or simply as stations for lines of steamers. As modification of the tariff the Chambers of Commerce asked little. The Chinese Inspectorate of Customs made up in 1867 some tables indicating the relation which subsisted between the duties levied on the articles of commerce, and their average prices. Absolutely, and in comparison with the taxes levied in the United States and in Europe, this tariff is perhaps the most liberal in the world. The Alcock Convention, too, did not do more than seek to do way with certain inequalities. It slightly increased the duties on Silk and Opium, and on the other hand had diminished the duties on Tea dust, watches, and some other articles; but as takes place always in similar cases, the diminutions were thoroughly accepted and the augmentations energetically repulsed. Thus, British India, which levies about 300 per cent. on the Opium exported, became indignant because China desired to increase the legitimate import duty 2 or 3 per cent. on this article which demoralises her subjects.

Further, the English merchants complained less of the impoft and export tariffs than of the inland taxes, which touch their goods somewhat in all places. They cite the article of the Treaty, by which, in consideration of a payment of a transit due equal to one half the import or export duties, a merchant can send his goods where he likes, and can also receive from the interior the goods which he desires to export, without either the one or the other paying extra taxes. The Chinese Government does not dispute the text of the Treaty, and even in some provinces the half duty for transit has almost entirely protected foreign merchandise, provided these were accompained by special passes; but the following is what takes place. The Budget of the Empire barely sufficing for the regular services, every extraordinary circumstance requires special taxes: there are taxes for putting down rebellion, others for the repair of the banks of a river, &c. The one set are approved by the Pekin Government, and the others, though comparatively rarely, are established by the high Provincial authorities on their own responsibility. The consequence is that goods are subjected to a duty which amounts to 30 or 40 per cent. The Mandarins have thousands of ways of levying them, and most frequently it is impossible for foreign merchants to reclaim. Thus, in Chekiang during the civil war, Tea and Silk were respected in Transit, but were subjected in the hands of the producers to high taxes, which increased to that extent the price of sale. This augmentation was ultimately borne by the foreigners; also in course of transit the goods which foreigners owned were submitted frequently to irregular levies, which raised a large number of protestations. The Chinese Government generally endeavoured in this case to prove that the goods had passed into native houses under cover of the foreign houses, in order to avoid the taxes specially imposed on Chinese commerce. It has also been on more than one occasion discovered that this species of fraud was actually employed. In short, since 1844, the time of the first treaties, this question has been discussed without arriving at any solution satisfactory to either one side or the other. The Alcock Convention might have conduced to a solution; it contained a clause which was no doubt only applicable to certain Provinces, by which the foreign merchant after having paid all the taxes leviable on his goods on going and returning, could cause himself to be reimbursed the difference between the sum paid and the transit fixed by the Treaties. This solution has fallen to the ground naturally with the rejection of the Convention. Besides, the only means which would put a definite end to the abuse which we have pointed out, is that Chinese and Foreigners should have to pay the same taxes, that the latter should be raised, and that the Budget of the Empire should be framed so as to meet all contingencies. Now that the country is somewhat more tranquil, the Chinese Government is endeavouring to lighten the taxes paid by its subjects by applying to them the same rules as to foreign commerce, but this system will naturally cease when, in consequence of any cause, the Provincial Budget is insufficient. No definite remedy to the irregularities in the fiscal system in China can therefore be hoped for, unless foreigners are willing to consent to an augmentation of the tariffs, and the country enjoys a centralisation of the public finances such as we understand it in Europe.

In respect to the commercial facilities, notably the right demanded by foreigners to open establishments in the interior of China, the Alcock Convention provided that a merchant could instal himself in a house in the country, but without becoming proprietor of the soil or of the house, and without even being allowed to set outside the house the name of his establishment. A native proprietor would always be responsible to the Chinese Authorities. Russian merchants have gone upon this principle. They reside in the interior of certain provinces, where they themselves prepare the Teas destined for exportation. The English might do the same. If thirty houses of business had followed this system, the population would have become gradually used to seeing foreigners living amongst them; but foreigners took exception to these precautions, and

this article of the Convention, the most important of all, did not find favor in their eyes. China has on her side very good reasons to give for refusing to allow foreigners to go and establish themselves as they please in the interior of the country. So long as the privilege of exterritoriality exists, so long as China has not judicial authority over foreigners, two ways only are possible; either that foreigners remain in the few ports at which their Consuls are resident, or that we cover China with Consulates. Can it be asked with justice that, if an Englishman commits a crime or an offence fifty miles from a port, the Chinese Authorities shall have to send the delinquent, witnesses, and necessary proof to the Consul of this port, in order that justice may be done? One way at least there would be to lessen the inconveniences of exterritoriality, and that would be to compose a special disciplinary code for strangers established in the interior, and allow it to be applied by the Mandarins, giving to those interested a power of appeal before a mixed tribunal at the nearest port. This code would guarantee them from torture and other procedure not of our time (qui ne sont plus de notre temps). Permit for residence would be delivered only to individuals presenting guarantees of good conduct, and speaking the Chinese language well enough to be able to sustain an ordinary conversation, and not be at the mercy of a Chinese interpreter. Unfortunately, foreign residents would jump with indignation at the idea of being amenable to Chinese justice.

It must be further stated that the Chinese have no idea of seeing foreigners mixing with the inhabitants of the interior, where they would bring ideas which do not accord with either the Law or the government system of China, nor with the ordinary practice of the Mandarins. The native might learn rom them to resist exactions and vexations; he might see the Western theories on the advantage of a system of national representation, and on the right of the taxpayer to vote the taxes he pays. It is commonly seen in the ports that the Chinese in the service of Europeans, after a certain time, hold their authorities in disdain. They no longer follow the secular customs of the Empire. Their wives go in the streets, and old Chinamen tremble with horror. These people who commence with being servants become managers of the houses who employ them; many of them arrive at riches, and are then to their compatriots notables whose example is pernicious. What would become of Chinese society, if contact with Europeans was thus to transform the natives of the interior?

Europeans also are hemmed in at the ports. Out of the limits prescribed to them, they would not find an inch of land on suitable conditions. This species of confinement makes a sojourn in a Chinese port ten times more painful to Europeans. At Shanghai, they are allowed to make outside the Settlements roads of some miles in length; near the other ports only Chinese footpaths are found, on which it is often difficult to walk two abreast; and notwithstanding that in an enervating climate it is necessary to have broad roads for riding, driving, and taking all kinds of exercise. At Foochow, for example, the only walk for foreigners is a crooked path which winds among the graves. Attempts have been made, but without success, to establish a suitable route. The Settlements are generally upon flat plots of ground situated on the water, the air there is enervating and damp, and the European would demand in vain the permission to construct at a few miles off a country residence. We have seen, ten years ago, in the environs of Foochow, the English reduced to bombarding a village to prevent its inhabitants from coming and demolishing a sanitarium (pour obtenir de ses habitants qu'ils ne vinsent pas démolir un *sanitorium*, &c.), which the Protestant Missionaries desired to build near the sea.

It is further not indispensable in order to supply foreign markets with imports and exports that foreigners should force themselves into the provinces. It would be sufficient that there should be well situated entrepots on the sea or banks of the rivers, from whence the native managers (Courtiers) could transport to the interior foreign articles, and where they would bring to the foreigners Tea and Silk. Assuredly the residence of Europeans in the interior of the country would permit of showing the Chinese samples of new goods, the result of industry, of weaving and cultivation, which would gradually multiply the exchanges. But the present is good enough; the crop is too easy for England not to be contented with it. It is she who absorbs five-sixths of the foreign trade, of which the figure amounts to one milliard, one hundred millions of francs annually. It is easy to her to protect her merchants united in some fifteen ports, and she has no desire to impose upon herself the task of looking after them all over China. She will no doubt leave it to time to create more intimate relations between her nationals and the Chinese. These will in the course of time lose their prejudices and fears. The study of European languages, which is now entering into the education of the young, will certainly contribute towards this, and rapid means of communication will bring into closer contact the ports and the interior; but this is a speculation at a somewhat long date.

III.

With regard to telegraphy, we have reason to believe that China will soon adopt its introduction. Native merchants, and even Mandarins, avail themselves to a great extent of the submarine lines of telegraph, which are now in working order along the coast, and which will in a few months unite all the ports open to foreign residence. The making these lines only dates from last year, and the Government are already contemplating lines in the interior, which may completely serve the Provinces. We believe, also, in the construction of railroads, in spite of the persistent refusal with which the Chinese Government have during the last ten years met the efforts to persuade her to allow them. She wants only to escape the participation in them of foreigners. If she introduces telegraphy and railroads she will herself undertake the work. She will wait before she acts, till no pressure is put upon her, and till she is aware of freedom of action. It was under these conditions that the arsenals and machinery China now possesses were created. With these intentions, and considering the small resources the Chinese Government has at it disposition for public works, the laying down of railroads will progress very slowly. Social and religious customs will create many obstacles. Families will have to be deprived of fields which they have owned for centuries, tombs will have to be destroyed which are venerated; sanctuaries perpetuating glories and traditions; hills will have to be cut through or levelled which are the abodes of malevolent or good fairies—nevertheless none of these obstacles are insurmountable, appropriation of public grounds is as current in China as in France. The Emperor can order a family to remove the tombs by clearing another place for them.

Priests have, at the disposition of the public, rites for appeasing malevolent fairies. If they are inconvenienced in one spot, the oracle can point out a new residence which will content them, and ceremonies which will exorcise their anger. We had experience of this in a Chinese Governmental establishment under our direction. We wanted an important piece of ground which the owners would not sell. The Viceroy, who lives on the spot, came himself in grand style to reason with them. They listened to him; the land was bought, and liberally paid for. It was afterwards necessary to raise the ground to the height of certain land we had in the neighbouring hills; and in doing this, tombs were profaned; the fairies who had their mystic place in the neighbourhood could not fail to nip the enterprise in the bud. This danger was pointed out by a soldier, who fell into a fit, and spoke in the name of the fairy by whom he was possessed. The Mandarins gravely listened to the man, and carried out what he advised. They got up a ceremony of purification lasting three days, and preceded by fasting, they constructed altars to attract the fairies, and assigned them a new trysting place. "By these altars," said the soldier, "must be placed gold and silver money—that is gilt and silver paper; so that they may find something to gamble with, and not think any more about your works."

The Report of the different Chinese Embassies or Missions in the West must have enlightened the Government on the advantages to be gained by quick means of transport; and what will have a determining influence on her resolution is the example of Japan, which has railroads, telegraphy, coined moneys, weaving machines, and which is just about to enter into relations with China by a recent treaty.

Working mines by Western processes will soon be commenced, as China can perceive the immediate advantages in so doing. Her Arsenals, and the steamers she already possesses, impose on her the necessity of getting cheap fuel. With the rude means in use, the mines of Formosa, and on the banks of the Blue River, yield more than 15,000 tons, but these coals are of an inferior quality. It has become a matter of urgency to work other mines, the layers of which are known, and the products of which would be superior. It was stipulated in the Alcock Convention that certain mines specially mentioned were to be worked by foreign machinery. The rejection of the Convention will not retard an enterprise the utility of which is plainly perceived by the Chinese Government.

Actuated by the motives we have pointed out, the Chinese Government is hardly disposed to concede to foreigners the free navigation of her rivers. The British Minister obtained permission for a steamer to ply on one of the large lakes which are in the neighbourhood of the bed of the Yellow River, namely, the Poyang, in order to tow the cargo boats foreigners send to trade in these waters; but the lake is not of much importance in a commercial point of view, and it would only have facilitated the Kiukiang trade. Permission was also given for foreign sailing vessels of small tonnage to ply in the river. This was but a small concession, as merchants would gain no advantage by replacing by little yachts the very convenient Chinese lorchas, junks and cargo boats at present in use. Sir Rutherford Alcock was no more fortunate in his attempt to open new ports to foreign trade. The merchants asked for access to certain points beyond Hankow, a large market about 660 miles from the mouth of the Blue River; steamers can go twice as far as that before coming to the rapids, which are the first obstacles to its navigation. The Chinese authorised the visiting of one or two stations between Hankow and Shanghai. They consented to the opening of a new port on the River on condition that one or two of the ports conceded ten years before by the Treaty of Tientsin should be given up. That certainly is the weakest point in the Alcock Convention, and also where the Chinese are easiest to be attacked. Nothing justifies the fear they seem to entertain of opening new ports. They have seen, in fact, for a long time, how easy under the superintendence of Consuls are the relations between native and foreign communities. They have been able to perceive that the splendid line of steamers which ply on the Blue River and the Canton River, have given nothing but facilities and advantages to their trade. In temporarily reducing to 15 the number of ports where her subjects might reside, England never intended indefinitely to confine her trade within this narrow compass. With regard to France, she should wish the places habited and visited by foreigners should be as numerous as possible; because close to the open ports Missionary difficulties are fewer, and Mandarins less offended by their presence.

Having thus examined the principal features raised by the British Treaties, we are led to conclude that we have nothing to gain by opening negotiations which regard to the revision of our Treaty. Facilities of trade and intercourse which France might obtain would profit her perhaps if they were accorded to her exclusively, but it has been stipulated by the other nations that they shall enjoy the rights of the most favoured nation, and as we have in China very few merchants, we should have again done work for others, that is, for the English, Americans, and also Germans, whose numbers daily increase. We might be asked for our moral support in every negotiation of this kind, but the initiative is certainly not our affair. Again, every revision of the Treaty will be fundamentally defective if it does not arise from a common understanding of all the States who have treaties with China. Thus, Great Britain had obtained, as we said above, that the duty on certain articles should be lowered on condition that the duty on certain others, especially Silk, should be raised. A great deal of Silk would naturally have refused to agree to the stipulated increase; and these modifications of the Tariff would have fallen to the ground. England did not appeal to the nations represented at Peking till after the negotiations were closed; her plenipotentiary, when he communicated the result, got from them an answer which nullified the negotiations. Sir R. Alcock then declared that one could only get from China what she herself was willing to give. He has exhausted all possible attempts to conclude his Convention. The consequence is that it will be a still more delicate task to re-open the same questions.

If France is determined to have a commercial policy in China, we can only see one she ought to adopt, this is, to employ her influence to displace the trading marts, that is, to get them away from the several ports and bring them gradually to Europe. We think the only chance our country has of getting a share in the trade, would be to suggest to the Chinese the idea of coming and establishing agencies in Europe—agencies which would exchange the products of China for

our manufactures. Our articles of industry are unknown to them. They have only seen those specially manufactured for them in England and America. Thus, to speak of Wove and Silk Stuffs, they are imported according to the musters they prefer, and it is especially a condition that they shall be so cheap that our trade under the weight of crushing duties can less than ever manage. Our stuffs, it is true, are more carefully made and more durable, and make up by their superior quality for the high price; but, if we want the Chinese on the territory of the Empire to understand this, it would be necessary to have stores of goods there, which would be liable at first to considerable loss, and not be certain of ultimate profit. No company would run such a risk; but if Chinese merchants came to Europe, we should reap nothing but advantage in the examination they would make of the products of each nation. The different Asiatic Embassies who have visited us perceived the good quality of French goods, and gave us considerable orders. We have already taken one step, by asking the Pekin Cabinet to have a Legation at Paris. If we could manage to persuade China to recall certain laws which have already fallen into disuse and, like Japan, encourage her subjects to visit foreign countries, we should have double reason to renounce the revision of our Treaty. Minister, Consuls, and French Agents would then be occupying themselves in the work of facilitating the voyage of Chinese to Europe. Our steam packet boats, provided with special appliances, would take them at reduced prices, like the American vessels of the Pacific, which take 300 or 400 Chinese every voyage to California. The inhabitants of the Middle Kingdom are accustomed to steamers. The Mandarin going from Canton to Peking, goes on board a steamer, which takes him to his destination in eight days, while their boats would take two months to perform the same journey.

The Catholic Missions of China are a special question for France, which obliges her to have a policy peculiar to herself, and to conduct that policy with prudence. Although all the Catholic Missions are not French, they are under the protection of our country. The work of propagating the faith has been the object, especially during the last few years, of a feeling of distrust and even hatred in nearly all the provinces of the Chinese Empire. The Tientsin Massacre was only directed against the Catholic missions, and consequently against France, as the missions are considered as her political work.

The first beginning of this dreadful state of affairs must be sought in the war of 1857, undertaken by the Imperial Government in concert with England, apparently to avenge the murder of a missionary, the Abbé Chapedelaine, in reality, it was then said, to renew with our neighbours more intimate bonds of alliance. This war altered completely the conditions of mission existence in relation to Chinese society, and it could not be otherwise. The Treaty concluded in 1844 by M. de Lagrené gave the missions the right to be in China; mission work went on, if not with a complete calm, at least sufficiently to take up the thread broken by former persecutions. The liberal spirit in which the Articles relating to missions were drawn up clearly proves that the prospect of seeing her subjects become Christians did not then alarm the Government of China, which for a long time had not been excited on seeing them become Mahommedans, Buddhists or Jews. The war in 1857 shewed her that missions might have a political object, and that the cross which was being carried through her eighteen provinces might be escorted by a sword to be dreaded. Missionaries were no longer regarded in any other light than as French emissaries.

Baron Gros did not lose sight, in concluding his treaties, of the difficulties that the war had raised, and considered it dangerous to exact too great concessions for the missions. In the first Treaty, which was concluded at Tientsin in 1858, he kept to the basis of the Lagrené Treaty. The following is the Article of that Treaty relative to missions:—

"Art. 13.—The Christian religion having as its essential object the desire to persuade men to virtue, members of all Christian communities shall enjoy security for their persons and property, and a free exercise of their religious ceremonies. A valid protection shall be afforded missionaries who go quietly into the interior with proper passports. No obstacle shall be thrown in the way, by the authorities of the Chinese Empire, of exercising the right which every individual in China is acknowledged to possess of embracing, if he likes, Christianity, and adopting its ceremonies, without being liable to any punishment for so doing."

The Convention added in 1860 to the Treaty of Tientsin by Baron Gros completed a clause of the Lagrené Treaty by the following article:—

"In conformity with the Imperial edict issued the 20th March, 1846, by the august Emperor Tao-kwan, the establishments confiscated of Christians during the persecutions of which they were victims shall be returned to their owners through the French Minister in China, to whom the Imperial Government will hand them, together with cemeteries, and other buildings attached to them."

The interpreters of Baron Gros added to the Chinese text of Art. 3 of the Convention the following phrase:—

"It is besides permitted to French Missionaries to rent and purchase land in all the provinces, and to erect thereon such buildings as they please."

We do not know whether Baron Gros knew of this addition—however that may be, it was impossible for him again to take action against accomplished facts: the Treaty inevitably became in the eyes of the Chinese a mark of their defeat. Ask old missionaries, those who have been long in China, whether they prefer their present position to that they enjoyed by the Lagrené Treaty. Their entrance into the heart of the provinces was gradually being effected; in Kiangnan, Chekiang, Fokien, Kwangtung, and several other provinces we have visited, churches and communities were being organised. The restitution of ancient property of Christians was going on without opposition, the missions were recovering little by little, if not the properties, an equivalent value. If from time to time storms arose, they could be laid then as well as now. Polite, and even friendly, intercourse existed in many places between the Mandarins and the missionaries. The bishops, considered as persons of importance, were allowed to submit to Chinese functionaries matters interesting their communities. Now our bishops are regarded as high French functionaries, they want to adopt the external marks of Chinese dignitaries, and the latter dispute their right to do so; they correspond by letter with Viceroys and Governors of Provinces, and their letters are not always well received; they have more difficulty in getting access to the educated classes, among

whom conversions used to take place, that bore good fruit as examples; their neophytes are no longer found except among fishermen, porters, and people of the lowest class, and even among them, for some time past, the number has increased but very insignificantly.

France has fairly accepted the consequences of her wars, and exercises as well as it is possible the protectorate she has assumed. Missionary questions absorb the activity of our Ministers and Agents. Every murder of a Missionary or of a Christian, every looting of a chapel, has been followed by persevering demands which have led to the punishment of the guilty and indemnities for the sufferers or communities. Without going being 1869, we witnessed the French chargé d'affaires, escorted by a naval force, himself visit each of the provincial capitals on the banks of the Blue River as far so Hankow, in order to settle in a manner profitable to missions questions in dispute. Tha Consulates at Tientsin, Hankow, and Canton are nothing but stations for the protection of religious interests.

You may ask, is France bound to continue this policy? To reply we must examine the following question: Cannot mission work exist and spread in China without being backed up by the French Government? and does it give us a real influence in exchange for our Protection? It would seem at first sight that if the Catholic Propaganda is a continual source of troubles and discords, France should not support it. But one has seen that the hostility of the Chinese is caused much more by the intervention of our arms than by mission work in itself. Hence France has no longer the right to abandon the missionaries to themselves; their position in the centre of China has been made for them by Treaties by which the Republican Government is still bound.

All we can do is to authorise what actually exists, and when we consider that in the matter of religion, China is the most tolerant country, we may hope to destroy the distrust which surrounds missions. The influence secured to us by a Protectorate over 500,000 Catholics might under other circumstances be considerable. Unfortunately the Missions are for France a source of irritating squabbles, and of endless every day disputes. The French merchants are on this very ground exposed to greater inconveniences than other foreigners. It must not be forgotten that the Tientsin populace only bore a grudge to Frenchmen.

A circular recently published by the Chinese Government, has plainly shown some of the causes which may render the work of Missions as at present conducted dangerous to the maintenance of friendly relations between foreign countries and the Celestial Empire. Catholic Missionaries, without being specially named, are in reality the only ones aimed at. This document merits being studied with care, notwithstanding that the absence of moderation in its drawing out the unacceptable proposals it contains, and the tone of irony throughout, considerably take off its edge. The circular just calls attention to the orphanages of La Sainte Infance, and asks that no establishment of the kind be allowed to be opened without the local authorities having been informed of the fact; it asks also that a superintendence be exercised over the orphanages, and that the child when grown up should be handed to its relatives should they claim it. The Missionaries may reply if relatives abandon their children, they lose by so doing the right of reclaiming them, especially after the orphanage has borne for fifteen years the expense of their education. With regard to allowing the Home Authorities to exercise a Superintendence over the orphanages, we do not think the majority of the chiefs of Missions ought to refuse the permission. An inspection made by the Viceroy of Nankin, who visited by request of the Jesuits their orphanage, dissipated false rumours current among the people, and probably saved the orphanage from the fate of the one at Tientsin. Asylums of this nature give easy pretexts for malevolent suspicions, which it is necessary to put an end to by the greatest possible publicity.

Among the children received, poor, sickly creatures, condemned mostly to death by being abandoned, the mortality is very great, often 80 per cent. The Chinese people readily believe the silliest rumors. Only a few months ago the Canton Province was agitated by a sudden emotion, the mortality had been very great there by reason of the irregular temperature of the summer; a rumor got up that foreigners were throwing a drug called the Spirits' medicine, which produced a disease of which the only cure was to go to the missionaries, and adopt their religion. In less than a week, Canton, Hongkong, Foochow, and all the ports and provinces south of the Blue River were seized by the same panic, and serious troubles ensued. The true cure for such suspicions is that the missionaries should put the authorities in a position to refute the falsehoods spread, and for that purpose they should open the doors of their establishments.

The circular condemns the work of Sisters of Mercy. To a Chinaman, the presence of a woman by the bed side of a stranger is a scandal, her place is the harem. Chinese Christian women meet in the same church as men, which is another cause of scandal, and pointed out as such by the circular; it is one of the first principles in China that woman should be deprived of man's society. We have known chiefs of missionaries who, on account of these prejudices, find it simple and more prudent to confide the children they collect among Chinese nurses dispersed in the country, some of whom are Christians, but some heathen. The most important point to which the Chinese Government draws attention is the tendency Chinese Christians have to form a circle round their missionaries, and to constitute themselves into communities which recognize no other authority than that of their spiritual chief. A Chinese official gave us one day his opinion on this point in pretty strong terms. We wished to build in the limits of our establishment mentioned above, a chapel, necessary for the religious wants of our service, which is composed almost exclusively of Catholics. "I'd suspend the works," said the mandarin our colleague, "and would give leave to your staff rather than allow a chapel to be built here. I don't want to prevent your fulfilling your religious duties, but in the wake of the chapel, and the priest who performs services there, Chinese Christians will come, who will create difficulties for me. I was Governor of a province, and have had close acquaintance with these fellows. It is not by the doctrines of your religion they are attracted, they can't understand them; their only object in being converted is to escape from our action. In this establishment, which belongs to the Emperor, and where I have absolute power, if one of these Christians committed a robbery, I could not behead, him without having your missionaries and consuls against me. You are too just not to admit these

reasons." We solved the difficulty by building our chapel on a lot outside the reserved limits. This mandarin had mentioned the most grave of the objections of his class against the propagation of the faith. We have already said that the neophytes come from the lower classes; they are generally simple and poor people, who are attracted by the aid missions give them, and by the hope of belonging to the small communities whose members they see mutually helping each other, under the direction of a foreigner respected by all for the austerity of his life.

The religious discipline exercises a happy influence over the characters of the converted Chinese. It would be unfair to judge them by the vagabonds one meets at the open ports, who are ready to do anything for a living, and who seek to gain confidence by being prodigal in crossing themselves. We have visited several Christian communities in the rural districts of China; we have seen that they are composed of peaceful, sober and hospitable people. A foreigner is received among them as a friend, whereas elsewhere he often meets distrust, if not enmity. In several provinces whole villages are Christian. The house in common which is used as a meeting house of peasants, and where they place their ancestral tablets, is exchanged for a poor chapel where a missionary either lives or occasionally visits. His flock call him father, and make him in all matters their judge or guide; he settles all differences, arranges family alliances, and superintends the administration of the slender finances of the community. Can one be surprised that in defence of the interests that depend on his apostleship, he allows himself to interfere in a manner which ignores the rights of the local authority? One sees him, say the mandarins, using his influence in civil causes between Christians and non-Christians, supporting his neophytes against payment of taxes, and against the levy of dues they think unfair. The missionaries state that one of their principal difficulties is exactly this refusing to grant the requests of the faithful, who are continually begging their interference. On the other hand, can we say the Chinese Government is wrong in complaining of their meddling.

Among the charges that the circular brings against missions, the following is the gravest. Bandits escape the penalties of the law by becoming Catholics. They state that in Kwiechow, for example, a whole band of robbers were allowed to be baptised, and had they afterwards been arrested—adds the circular—it would have been thought a persecution of Christians, even if these robbers were rebels, or rather Miaoutze, an aboriginal tribe that the Chinese Government has been years in making submit, and in completely crushing. Still the missionary is naturally disposed to believe such men to be simply converts, while in the eyes of the Government they are enemies or criminals.

The Chinese dispute the missionaries right to wear the distinctive emblems of the high authorities of the Empire. The official circular demand that they shall limit themselves to the dress worn by scholars. Thus, Bishops use green chairs with four bearers, to which only mandarins above the fourth rank have the right; they use for their despatches seals the same in form and size as the seal the Emperor gives his agents as an investiture of office. The seal is a precious and to be dreaded sign, the loss of it entails death on the person with whom it is deposited. The Bishops—we quote still from the circular,—demand that they should be treated by the high officials of the Province on a footing of equality, that is to say, that the great gates of the Yamens, which the mandarins only open to their equals, be opened for them. As early as 1861, a despatch from the French Legation ordered the Bishops to renounce such practices as might offend the susceptability of Chinese officials. If the Bishops insist on surrounding themselves with a certain pomp, they ought to consult the rules of ceremony and privileges there are for the heads of foreign religions, specially Buddhism and Mahomedanism, and agree on a code acceptable to all parties.

The restoration of building and properties formerly confiscated as belonging to Christians, has been made an obligation by the Convention of Pekin. Hence have arisen still graver difficulties which we were wrong in not at once attending to. The circular speaks as follows on the subject:—

"The Missionaries demand the restoration of what they declared belonged to Christians, without in the least caring whose interests they injure. Sometimes it happens that they ask for fine houses belonging to the literati, and they drive out the owner on the shortest notice; but what is still worse, and wounds the dignity of the people, is what they ask for as their property: Yamens, kung hins, and temples held in great veneration by the literati and people of the neighbourhood. Undoubtedly in every province are houses which formerly belonged to the church; but some allowance should be made for the number of years that have since elapsed, and one may consider that the Christians sold these houses, and that they have since passed through the hands of many owners. One must also consider that the houses may have been sold old and delapidated, and that the purchaser has perhaps spent a great deal on their repair, or even on their rebuilding. The missionaries don't care at all about that. They demand restoration, and do not offer any indemnity.

"When the missionaries want to buy a piece of ground to build a church, or hire a house of residence, they ought before concluding the bargain to go with the true owner, and make a declaration before the local authority, who will examine whether the Fengshui present no impediment."

Fengshui [lit., wind and water] plays a great part in the life of the Chinese people, it contains the conditions of locality, the influence of the wind and the water, which give a place, a field, or a house its good or evil luck. The surveyor who cuts a road, compasses a suburb—the owner who constructs a house consults its fate of some oracles of the joss house, from whom he learns how to fix it with regard to the cardinal points, the site to choose, and the means of putting the place pointed under a lucky influence. These means are certain ceremonies, such as the erection of an altar, of a tower, or of a simple stone dedicated to *Poo-sah*. All over China one see towers and shrines on commanding heights, built generally in times of affliction, epidemic, famine, or flood, and covering some how the surrounding country with its protecting shadow. When a mission wants to

build an edifice too high, especially if it be higher than the towers, so as to destroy the "lucky influences," the catholic monument becomes an object of hatred. Any cathedral looking over the humble and low houses of a great town, raises in the heart of a population of some hundreds of thousands of souls a breath of anger, which ends by becoming dangerous in a stormy day. In Peking, near the Imperial Palace, on a piece of ground given by the Emperor Kanghi to the Jesuits, when they lived at his court, is a church, which was confiscated during the times of persecution, and restored to the religion by the success of our arms. The missionaries wanted to put a spire to it. The height was fixed by the Chinese minister of Foreign Affairs, but when it was built it was found that it actually overlooked the Imperial Gardens. The minister had made a mistake; he asked that its consequences might be averted by lowering the spire; his request was refused. The Government was satisfied by its building a wall before the spire, but there is not a mandarin or literati who returns from the capital without speaking with indignation of the insult done to their sovereign. The circular winds up by declaring that with the proceedings it points out peace cannot exist between China Christian and non-Christian subjects.

The higher classes have, it is known, kept at a distance from the Missionaries, whom they look on as foreign agents, they have cleared a circle of vacant space round them, and made their missionary efforts difficult; the Peking cabinet nevertheless still protects them as far as its limited power over the provinces will stretch, and since the conclusion of the treaties of Tientsin, Missionaries could go about and preach freely. Before the horrible event of June 1870, one had nothing to regret but the murder of one or two missionaries in places desolated by anarchy or by clan fights—one never found either the hand or word of command of influential mandarins behind the murderers. If Christian congregations were annoyed—if the building of chapels or orphanages was resisted by the populace—if Christian converts were imprisoned and held at ranson, the only thing apparent in such facts is the inevitable opposition of the nation to a foreign religion. So is to be marvelled at that priests, literati, and peasants regard with an evil eye the symbol which is about to destroy their creeds and the prestige of their idols, when in our own countries Protestants and Catholics cannot live in peace? On the contrary, there is good reason to wonder at the relative toleration which the propaganda meets in China for the development of its work. The causes of quarrel, which are inevitably born of the prejudices, and fanaticism of idolatry, sometimes also may come from acts of imprudence committed by converts, who are ever too zealous.

The last papers from China brought in the sense of the despatch addressed to the Tsungle Yamên. the 14th November, 1871, by our Chargé d'Affaires, Count Rochechouart, in reply to the circular of the Peking Government. The American Plenipotentiary had already replied from a general mission point of view. The reply of our Chargé can be summed up under a few heads: on the one hand, the Chinese had no right to meddle with conventions of treaties by limiting the liberty allowed Missionaries of opening churches and orphanages, or by exacting precautions which would prevent new converts being received; on the other, the French Government never intended to support Missionaries in usurpation of rights not belonging to them,—all the measures desired in order to free their establishments from plaints and suspicions should be recommended to them. If they interfered in civil or political causes, our agents would put a stop to it. They are not officers, and cannot, therefore, claim prerogatives of the Chinese authorities. Claims with regard to goods formerly confiscated on Christian property, should be decided in a manner just both for the Missionaries and the actual possessors. With regard to the protection given by Missionaries to Christians when brought before the tribunals, it could not be blamed it itself; it could only become a valid subject of plaint in case they wanted to rob the justice of the country by protecting criminals or those accused of crime. The French Government, adds M. Rochechouart, does not deny that Christians cause the Chinese Government anxieties, but he is still more inclined to believe that these serve as a pretext for systematic enemies of foreigners. "In reality, nevertheless," he winds up, "the danger exists, it has increased during the last few years, and may be irremediable if a perfect understanding is not established between the two Governments."

This understanding, in our opinion, will be very necessary. The time has come for France to get rid of the Protectorate which is the consequence of her way, and which puts her necessarily on her defence; another basis must be given missions by creating for them, by means of negociations to which no doubt the Peking Government will aid a modus vivendi, which will do away with the present animosity. One might settle on a convention regulating the strength which should be peculiar to the ministers of the Catholic religion, establish such relations between the Missionaries and the mandarins that the latter might be informed of the development of communities, and would no longer be able to think of them as groups cut off in reality or appearance from their jurisdiction. At stated times they should visit the Catholic establishments or orphanages. These concessions would have the happiest effects on the progress of the Catholic apostolate, in giving the mission a status freely agreed to by China.

France is not the only nation that has Missionaries in China; she is not the only country who has stipulated in her treaties for liberty of conscience for Chinese subjects, but she is the only one who has consecrated these stipulations by an effective protectorate. Her attitude has more than once been disapproved by other Governments. In the despatches between the Foreign Office and the British minister at Peking, after the Tientsin massacre, it has been several times repeated that France's claims to support Chinese Christians against their authorities is a sure cause of periodic troubles. England would not allow her Missionaries to use the right obtained by ours of owning land or houses in the interior of China.

Certain Protestant Missionaries are more or less established in the interior. Their work has taken root in some of the chief provincial towns, but as they are well warned that the arm of England is not at their disposition, they are obliged to follow the advice Lord Granville gave them, "to abstain from anything that might inspire the Chinese with distrust or enmity, and to persevere in disabusing the minds of their proselytes the idea that their conversion to Christianity gives them a dispensation from their duties as Chinese subjects. Of course

this way of the British Government's looking at things has called up protests of Bible Societies. In the heat of discussion which followed, certain statesmen have accused the Missionaries of being unequal to so delicate a task as spreading a religion. This reproach we consider undeserved. If these Missionaries, divided into numerous sects, reduced to moderate resources, by want of concentration in their labors, generally married, and consequently not able to go far from their families to preach in the interior, make but small progress—they take a considerable share in the work of civilizing China, and bringing her into more intimate relations with Europe, both by the schools and hospitals they found, and by their studious work and observations, which embrace almost all the branches of moral and physical science. They translate for the Chinese our principal works of mathematics and industrial sciences. In Europe, in the West, they make known by continual publications the philosophy, religion, medicine, and flora of the central kingdom; they have taken in this respect the position in the learned world that in the 18th century was held by the Jesuits.

IV.

We think it useful, in conclusion, to draw attention to the sacrifices which a new expedition in China would entail on France, if some day circumstances were to force her to it. Many persons make light of such a thing; they remember how in 1860 the allied forces, mustering some 20,000 men, could gallop from victory to victory right to the walls of Peking. One imagines the same preparations would still suffice, and we have even heard this said by Europeans who live in China. It is a delusion. If the Chinese Government has been up to the present time supine under the pressure brought to bear on her to make her adopt railroads and telegraphs, she has an object which she is resolutely following—arming herself. All the mandarins of the first or last rank in the Hierarchy, heartily desire to see their country take up an attitude which shall cause her to be respected, and which will no longer have her submit to the threats that are lavished on her, oftener perhaps than necessary, and sometimes without just pretext. English newspapers published in China support this opinion, by everlastingly preaching war. As the present moment, the Chinese Government can count on 50,000 men armed with quick firing arms, of which 5,000 are Remington rifles, and 45,000 Enfields. Li Hung-chang, viceroy of Chih-li, has about 30,000 under his orders. Tsêng-kwo-fan, Governor General of the Two Kiang, 20,000. These two mandarins have 30 batteries of hill and field pieces. Their men know how to use their arms; many of them have fought in the Anglo-Franco contingents in the time of the Taiping wars, and know what it is to march resolutely in the face of fire. They will present a very different resistance from that of the cavalry, or pantaloons armed with bows and arrows, that were opposed to our troops in 1860. In putting down at the lowest figure the forces which we should have to throw in China, we would not advise the thing being tried with less than 40,000 men, accompanied by cavalry and artillery. Such seems to us to be true for the present moment. In a few years the attacking force should be larger, as China will not stop short in the path she has entered. The arsenals and materials which have been organized for her, and of which she is gradually increasing the number and importance, give already results. At Shanghai and Nanking, cannon are made, as also powder and rifled fire arms. The manufacture of pieces for quick firing on the Remington plan has been commenced. The Government is attempting the construction of a fleet,—a longer and more complicated effort, but which will at last succeed. From the docks of Shanghai, five ships have been launched, and just now a steam frigate is in construction. At Foochow, it possesses a regular military port, which even now can make three wooden steamers a year, machinery and boilers complete. The works are directed by a corps of 75 Europeans, almost all Frenchmen, drawing 2,500 Chinese under their orders. A school ship, learners of naval constructions and navigation, attached to this enterprise, will give China at the worst a certain, and in a short time, naval officers and master ship builders. The boats will not indeed be very formidable, their equipment is not what it should be, and they cannot measure themselves against the great guns or the ram of an ironclad, but it is really only an affair of a few years to attain to building a stronger class. The Peking Cabinet has just decided on sending to America five sets of 30 young men, who, leaving China one set per annum, will stay years there, and will study the following course of five branches: Jurisprudence, Military art, Naval art, Civil engineering, and construction of vessels. It is the first step in a transformation of the system of education pursued till now. The consequences of these trials, or if you like of these entities, of progress, is that the quicker we advance, and the stronger China grows, our relation with her will become more important, and more possible to lead to dreadful struggles. We repeat, then, that France would do well to shake off all useless responsibilities in China such as the protectorate of concessions, with which she has nothing to do, and demands for commercial advantages which will give her no gain. We think, finally, she would do wisely in trying to obtain for Catholic Mission work a position preferable in every point of view to that the difficulties of which she is now feeling by reason of her protectorate. She ought always to be just in her policy and fair in her dealings, and no longer say, "They are only Chinese, what is the use of bothering?" It should be remembered that we are in the presence of a people who never forget the wrongs we do them. Let us not forget that this people has already suffered from three ways; one which forced on her foreign opium and developed the Taiping rebellion, whereas one may go many centuries back to find European soil invaded by Asiatic horses. Let us likewise not forget that the conquests of industry, steamers, telegraphs and railroads have brought close to us countries that formerly were distant; that Hongkong is only 40 days from Marseilles; that Peking will be sooner than is generally believed, only 10 days from St Petersburgh, and this last fact will probably consequently transport the political action of the white race to a theatre as yet confused and little studied.

China and Japan once armed, will bring to the battle fields of this part of Asia masses of warriors which have hardly been dreamed of. The Russians and English are at their posts on the frontiers of Thibet or by the banks of the Amoor River. Germany and America are preparing for their role by developing their interests in this part of the world. France, in face of these eventualities, should depart from a state of affairs which cripples her policy, and may lead her on a road that perhaps will be fatal.

ENT
EIVED
DEC
7
1872
STATE.

Mr. Bradow

No 196

Legation of the United States
Peking, October 9, 1872.

Frederick F. Low
to
Department of State

Subject

Protection of Portugese subjects at Tarchow.

States that the instructions of the Department have been communicated to the Consul at that port.

No 196

Legation of the United States
Peking, October 9. 1872.

Sir:-

Referring to Department despatch No 93 I have now to inform you that the instructions contained therein, with reference to affording protection to Portuguese subjects at Foochow, have been communicated to the Consul at that port.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

* Adrp a note to Com. on For Affs to Hyun. recommending the recommendation Dec 14

Mr Bayard asks to know what has been proposed, or done, about this Ch. Dec 9

Mr Read to refer to Com. on For Affs

Dec 14

Ans.

No 197. One Enclosure

DEPARTMENT RECEIVED DEC 7 1872 OF STATE.

Legation of the United States

Peking, October 10, 1872.

Frederick F. Low

to

Department of State

Subject.

Reducing the Consulate at Chinkiang to a Consular Agency.

Recommends that no change be made, and encloses a despatch from the Consul in which facts and figures are given why it should not be done.

No. 197. One Enclosure

Legation of the United States
Peking, October 10, 1872.

Sir:-

Mr Consul Flint, having learned that there is a proposition now before Congress to drop Chinkiang from the list of salaried Consulates, has addressed me upon the subject, with the request that it may be brought to the attention of the Department.

A copy of his despatch I beg to send herewith.

The
Hon Hamilton Fish
Secretary of State

The Consul, you will observe, argues strongly against the proposed change, and furnishes facts and figures in support of his views. His statements and figures may, I think, be accepted as fair and accurate; nor is there reason to doubt that the business of that port will increase annually.

Some three years ago it is understood that the Consul-General recommended that Tientsin be made a Salaried Consulate; and, in order to obviate an objection

objection made to the increase of Consular expences, proposed to omit the appropriation for the Consular Salary at Chinkiang. It is also true that I favored the proposition, as a dernier resort, in order to obtain the much needed appropriation for Tientsin. At that time the business at Chinkiang was small and seemed to be de-creasing.

Within the last year a sudden increase took place caused by the promulgation of more liberal conditions on which Transit Papers for goods destined for the interior could be

be obtained, which renders any diminution in the efficiency of the Consulate impolitic. As soon as this came to my knowledge no time was lost in bringing the matter to the attention of the Department. (See my despatch N° 129 of 25th January 1872) If I am not in error the Consul-General made similar representations some months since.

As the case stands I should consider any change in the status of the Chinkiang Consulate (except to provide it with a competent Interpreter)

impolitic

impolitic; ~~it~~ it would prove detrimental to our interests.

I may add that some years since the British Government reduced Chinkiang to the grade of Vice Consulate. In view of the rapidly increasing importance of that port it is now proposed to restore the Consulate to its original grade, which the Minister expects will be done very soon.

From all the information in my possession it seems clear that, even if a few years ago there were reasons in favor of a reduction of the Consular expenses at Chinkiang

Chinkiang they do not exist now. I therefore trust that no change will be made which will impair the present efficiency of that Consulate.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Enclosure

No 1 Mr Flint to Mr Low,
September 23, 1872.

Enclosure No 1
Despatch No 196

No. 11.

United States Consulate
Chinkiang September 23. 1872

His Excellency
Frederick F. Low
United States Minister
Peking:—

Sir:—

I have the honor to call to your notice a report that comes to me stating that a bill has passed the Senate, dropping Chinkiang from the list and making Kiukiang a salaried Consulate.

It seems only proper that it should be fully known that the recommendations for this change were made by Consul General Seward in 1869 since which time the port has rapidly increased in importance. Mr. Consul Shepard was transferred to Tientsin last summer and the newly appointed Consul to Chinkiang did not arrive in time to make any commercial report for 1871. thus leaving

leaving the Department without full information as to the present importance of this Consulate.
Hearing of the proposed change to Ningpo, I wrote to yourself and to Mr. Seward Consul General. You informed me that you had made a statement of the case to the Department, and later Mr. Seward informed me he had done the same. Supposing this was sufficient to satisfy the Department, I am somewhat surprised to hear that such a change should be made, if the report be true.
In order that the facts may be known I make a brief statement of the business at this Consulate.
The fees for 1872 are as follows:—

First quarter	$776.93
Second quarter	523.72
Third quarter (to Sept 23)	1058.62
Total for not quite three quarters	$2359.27

The fees for 1871 same period are

First

First quarter $722.49
Second quarter 128.45
Third quarter (July) 118.87
Total for three quarters 1871 $969.81

This comparison shows an increase this year over last of $1389.46 in the three first quarters or nearly thrice the amount. The fees for the year ending Sept. 30. 1871 were $1107.97. For year (nearly) ending Sept 23. 1872 $3083.15. At the present rate I estimate the fees for 1872, four quarters at nearly $3500.00 which will be more probably than any other two Consulates in China outside of Shanghai.

I understand the fees at Kiungchow are only $600.00 & $800.00 nearly all from the single daily steamer from Shanghai to that Port.

As to the business of this port (Chinkiang) You have available information in the Customs returns, which show an increase during

during the last quarter as compared with same period 1871 of four fold. As to the business of this Consulate and its importance in China, You have already so fully expressed your views that I need not call your attention to it except to give a few items that may be used in addition to that of fees to show the seeming injustice of the reported bill before the House.

During this quarter one hundred and eighty official letters have been received, and two hundred and twenty three sent from this Consulate. The letters received for year ending Sept 30. 1872 were four hundred and seventy five, and letters sent, four hundred and ten, against one hundred and twenty eight received, and one hundred and thirty five sent during year ending Sept 30. 1871, an increase to nearly four fold.

A large portion of the present correspondence is in Chinese

&c

to do which properly I am obliged to pay an Interpreter at the rate of $1800. per annum, as there is no allowance for one at this Port.

I learn that the bill mentioned increases the salary at Hankow with allowance for Interpreter, also making Foo Chow $4000.00 and giving a full Interpreter, also an Interpreter at Tientsin, where the business of the Consulate cannot be one third of what it is here.

I believe these allowances are but just to these ports, yet this increase of salaries, and allowances for Interpreters would seem to be equally applicable to Chinkiang especially when the receipts have more than doubled, and have not materially increased at the other Consulates in China. I felt most keenly the awkward position in which I was placed on my arrival here, by not having any Interpreter, and after doing the best I could for a time I deemed

deemed it best to take the responsibility of paying a proper Interpreter myself, although I think the increase of fees owing to proper facilities in conducting the Chinese portion of my work has been more than the amount I paid, and which sum I shall ask to be refunded to me at the proper time, and I doubt not the Department will recommend an appropriation when the facts are fully known.

Appreciating most fully the interest you have manifested in the increasing commerce of the great valley of the Yangtze river, two thirds of this commerce being now carried by American vessels, I deem it proper to lay these facts before you, hoping that the attention of Congress may be called to the importance of properly sustaining this Consulate, and retain as far as may be the trade upon the

the inland waters of the Empire
of China.

I am, sir
Your obedient servant
Signed Weston Flint
Consul

Subject: The Consulate at Chinkiang. China.

The recommendations of Mr. Geo. F. Seward, Consul General at Shanghai, with regard to the Consulate at Chinkiang, are embodied in the memorandum on Senate Bill No. 676. This memorandum is hereto annexed. That Bill was introduced in the 2d Session of the 41st Congress.

The changes proposed in Bill 676 with regard to the Consulates in China are the same as those proposed in Bill No. 472 (now in the House of Representatives, and hereto annexed) with the exception that in Bill 676 the salaries of the Consulates at Hong Kong, Foochow, and Hankow are $3.500, each, while in Bill 472 they are $4000. each.

Neither of those bills has become a law.

It is believed that there is

some

Some correspondence on the subject of discontinuing the consulate at Chinkiang, to be found in the 1st Diplomatic Bureau.

Respectfully submitted

14th Dec. 1872. A. B. Wood

Printer's No., 1841.

42D CONGRESS,
2D SESSION.

S. 472.

IN THE HOUSE OF REPRESENTATIVES.

APRIL 5, 1872.

Read twice, referred to the Committee on Foreign Affairs, and ordered to be printed.

AN ACT

To amend an act entitled "An act to regulate the diplomatic and consular systems of the United States," passed August eighteenth, eighteen hundred and fifty-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Schedule B, in section three of the act entitled "An act to regulate the diplomatic and consular systems of the United States," passed August eighteenth, eighteen hundred and fifty-six, shall hereafter read as follows:

SCHEDULE B.

I. CONSULS GENERAL.

GREAT BRITAIN.

London, seven thousand dollars.

BRITISH INDIA.

Calcutta, five thousand dollars.

BRITISH NORTH AMERICA.

Montreal, four thousand dollars.

FRANCE.

Paris, seven thousand dollars.

CUBA.

Havana, six thousand dollars.

NORTH GERMAN UNION.

Berlin, three thousand dollars.

TURKEY.

Constantinople, three thousand dollars.

SYRIA.

Beirut, two thousand dollars.

EGYPT.

Alexandria, three thousand five hundred dollars.

CHINA.

Shanghai, six thousand dollars.

AUSTRIA.

Vienna, three thousand dollars.

BRAZIL.

Rio de Janeiro, six thousand dollars.

ITALY.

Rome, two thousand five hundred dollars.

JAPAN.

Kanagawa, five thousand dollars.

II. Consuls.

GREAT BRITAIN.

Liverpool, six thousand dollars.

Leeds, two thousand dollars.

Manchester, two thousand five hundred dollars.

Southampton, two thousand dollars.

Bristol, one thousand five hundred dollars.

Cardiff, two thousand dollars.

New Castle, one thousand five hundred dollars.

Birmingham, two thousand five hundred dollars.

Tunstall, two thousand dollars.

Sheffield, two thousand five hundred dollars.

Bradford, two thousand five hundred dollars.

Glasgow, three thousand dollars.

Dundee, two thousand dollars.

Leith, two thousand dollars.

Belfast, two thousand five hundred dollars.

Cork, two thousand dollars.

Dublin, two thousand dollars.

Hong-Kong, four thousand dollars.

Singapore, two thousand five hundred dollars.

Melbourne, four thousand dollars.

Bay of Islands, one thousand five hundred dollars.

Gibraltar, one thousand five hundred dollars.

Malta, one thousand five hundred dollars.

Port Louis, one thousand five hundred dollars.

Cape Town, one thousand five hundred dollars.

Saint Helena, one thousand five hundred dollars.

Ottawa, one thousand five hundred dollars.

Montreal, three thousand dollars.

Clifton, one thousand five hundred dollars.

Fort Erie, one thousand five hundred dollars.

Godorich, one thousand five hundred dollars.

Hamilton, one thousand five hundred dollars.

Kingston, one thousand five hundred dollars.

Prescott, one thousand five hundred dollars.

Port Sarnia, one thousand five hundred dollars.

Toronto, two thousand dollars.

Windsor, Canada East, one thousand five hundred dollars.

Windsor, Nova Scotia, one thousand dollars.

Coaticook, one thousand five hundred dollars.

Quebec, one thousand five hundred dollars.

Halifax, two thousand dollars.

Saint Johns, Canada East, one thousand five hundred dollars.

Pictou, one thousand five hundred dollars.

Saint John, New Brunswick, two thousand dollars.

Charlottetown, one thousand five hundred dollars.

Winnepeg, one thousand five hundred dollars.

Kingston, Jamaica, two thousand dollars.

Nassau, New Providence, two thousand dollars.

Turk's Islands, two thousand dollars.

Barbadoes, one thousand five hundred dollars.

Bermuda, one thousand five hundred dollars.

Demerara, two thousand five hundred dollars.

Port Stanley, Falkland Islands, one thousand five hundred dollars.

Inagua, Bahama Islands, one thousand five hundred dollars.

Mahe, Seychelles, one thousand five hundred dollars.

RUSSIA.

Odessa, two thousand dollars.

Moor River, two thousand dollars.

FRENCH DOMINIONS.

Havre, three thousand dollars.

Marseilles, two thousand five hundred dollars.

Bordeaux, two thousand dollars.

Lyons, two thousand five hundred dollars.

Nantes, one thousand five hundred dollars.

Nice, one thousand five hundred dollars.

Algiers, one thousand five hundred dollars.

Martinique, one thousand five hundred dollars.

SPANISH DOMINIONS.

Cadiz, one thousand five hundred dollars.

112 Malaga, one thousand five hundred dollars.

113 Barcelona, one thousand five hundred dollars.

114 Port Mahon, one thousand five hundred dollars.

115 Valencia, one thousand five hundred dollars.

116 Matanzas, three thousand dollars.

117 Trinidad de Cuba, two thousand five hundred dollars.

118 Santiago de Cuba, two thousand five hundred dollars.

119 San Juan, Porto Rico, two thousand dollars.

120 PORTUGUESE DOMINIONS.

121 Lisbon, two thousand dollars.

122 Oporto, one thousand five hundred dollars.

123 Funchal, one thousand five hundred dollars.

124 Fayal, Azores, one thousand five hundred dollars.

125 BELGIUM.

126 Antwerp, two thousand five hundred dollars.

127 Verviers and Liege, one thousand five hundred dollars.

128 Brussels, two thousand five hundred dollars.

129 DOMINION OF THE NETHERLANDS.

130 Rotterdam, two thousand dollars.

131 Amsterdam, one thousand five hundred dollars.

132 Batavia, one thousand dollars.

133 DANISH DOMINIONS.

134 Copenhagen, two thousand dollars.

135 Santa Cruz, one thousand five hundred dollars.

136 Saint Thomas, two thousand five hundred dollars.

NORTH GERMAN UNION.

Frankfort, three thousand dollars.

Barmen, one thousand five hundred dollars.

Aix-la-Chapelle, one thousand five hundred dollars.

Leipsic, two thousand dollars.

Dresden, two thousand five hundred dollars.

Chemnitz, two thousand dollars.

Munich, two thousand dollars.

Stuttgard, two thousand dollars.

Carlsruhe, one thousand five hundred dollars.

Sonneberg, two thousand dollars.

Bremen, three thousand dollars.

Hamburg, two thousand five hundred dollars

Hesse-Darmstadt, two thousand dollars.

Ludwigshafen, one thousand five hundred dollars.

Nuremberg, two thousand dollars.

AUSTRIA.

Trieste, two thousand dollars.

Prague, two thousand dollars.

SWITZERLAND.

Basle, two thousand dollars.

Geneva, two thousand dollars.

Zurich, one thousand five hundred dollars.

ITALY.

Genoa, one thousand five hundred dollars.

Spezia, one thousand five hundred dollars.

Leghorn, one thousand five hundred dollars

Brindisi, one thousand five hundred dollars.

Naples, two thousand five hundred dollars.

Palermo, one thousand five hundred dollars.

Messina, one thousand five hundred dollars.

Venice, one thousand five hundred dollars.

TURKISH DOMINIONS.

Smyrna, two thousand dollars.

Jerusalem, one thousand five hundred dollars.

Port Said, two thousand dollars.

BARBARY STATES.

Tripoli, three thousand dollars.

Tunis, three thousand dollars.

Tangiers, three thousand dollars.

JAPAN.

Nagasaki, three thousand dollars.

Hakodadi, three thousand dollars.

Osacca and Hioga, three thousand dollars.

CHINA.

Canton, three thousand five hundred dollars.

Foochow, four thousand dollars.

Amoy, three thousand five hundred dollars.

Hankow, four thousand dollars.

Tien-Tsin, three thousand five hundred dollars.

Ningpo, three thousand dollars.

HAWAIIN ISLANDS.

Honolulu, five thousand dollars.

MADAGASCAR.

Tamatava, two thousand dollars.

MEXICO.

Mexico, two thousand dollars.

Tampico, one thousand five hundred dollars.

Vera Cruz, three thousand five hundred dollars.

Acapulco, two thousand dollars.

Matamoras, two thousand dollars.

Guaymas, one thousand five hundred dollars.

MUSCAT.

Zanzibar, one thousand dollars.

SIAM.

Bangkok, two thousand dollars.

UNITED STATES OF COLOMBIA.

Panama, three thousand dollars.

Aspinwall, two thousand five hundred dollars.

VENEZUELA.

Laguayra, two thousand dollars.

BRAZIL.

Pernambuco, two thousand dollars.

Bahia, two thousand dollars.

Saint Catherine's, one thousand five hundred dollars.

ARGENTINE REPUBLIC.

Buenos Ayres, three thousand dollars.

CHILI.

Valparaiso, three thousand dollars.

PERU.

Callao, three thousand five hundred dollars.

SEC. 2. That Schedule C, in section three of the said act, shall hereafter read as follows:

SCHEDULE C.

I. CONSULS.

GREAT BRITAIN.

Ceylon, one thousand dollars.

NORTH GERMANY.

Stettin, one thousand dollars.

HAYTI.

Cape Haytien, one thousand dollars.

Aux Cayes, five hundred dollars.

UNITED STATES OF COLOMBIA.

Carthagena, five hundred dollars.

BOLIVIA.

Cobija, five hundred dollars.

ECUADOR.

Guayaquil, seven hundred and fifty dollars.

BRAZIL.

Maranham, one thousand dollars.

Para, one thousand dollars.

Rio Grande, one thousand dollars.

URUGUAY.

Montevideo, one thousand dollars.

HONDURAS.

Omoa and Truxillo, one thousand dollars.

Belize, one thousand dollars.

PERU.

Payta, five hundred dollars.

Tumbez, five hundred dollars.

MEXICO.

Tobasco, five hundred dollars.

Paso del Norte, five hundred dollars.

San Fernandino, one thousand dollars.

PORTUGUESE DOMINIONS.

Santiago, Cape Verde Islands, seven hundred and fifty dollars.

SOCIETY ISLANDS.

Tahiti, one thousand dollars.

CHILI.

Talcahuano, one thousand dollars.

II. Commercial Agencies.

Friendly and Navigator's Islands.

Apia, one thousand dollars.

FRENCH DOMINIONS.

Gaboon, one thousand dollars.

PORTUGUESE DOMINIONS.

Saint Paul de Loando, one thousand dollars.

FEJEE ISLANDS.

Lanthala, one thousand dollars.

SAN DOMINGO.

San Domingo, one thousand five hundred dollars.

UNITED STATES OF COLOMBIA.

Sabanilla, five hundred dollars.

SEC. 3. That the following words are hereby added to said section three at the close thereof, that is to say: "That there shall be allowed for the hire of clerks, when actually expended therefor, as follows: To the consuls general of Havana a sum not exceeding the rate of three thousand dollars for any one year, and to the consuls general of London, Paris, and Shanghai, and to the consul at Liverpool, each a sum not exceeding the rate of two thousand dollars for any one year; to the consuls at Bordeaux, Hamburg, Leipsic, Lyons, and Manchester, each a sum not exceeding the rate of one thousand five hundred dollars for any one year; to the consuls general at Berlin and Vienna, and to the consuls at Birmingham, Bradford, Havre, Marseilles, Fayal, Nuremberg, and Sheffield, each a sum not exceeding the rate of one thousand dollars for any one year; and to the consuls

general at Beirut and Montreal, each, and to the consuls at Belfast, Chemnitz, Hesse-Darmstadt, Leith, Naples, Panama, Sonneberg, Stuttgard, Tunstall, and Dresden, a sum not exceeding the rate of five hundred dollars for any one year. And no salary or other compensation shall be paid to consuls general or consuls of the United States, except as herein specified, anything to the contrary heretofore enacted notwithstanding."

SEC. 4. That the consul-general at Constantinople shall henceforth be also secretary of legation to Turkey, with the salary above-mentioned, of three thousand dollars a year; and that the minister resident to Greece shall be minister resident and consul general to Greece, and his salary shall be that heretofore fixed for minister resident, namely, seven thousand five hundred dollars.

SEC. 5. That section six of the said act is hereby amended so as to read as follows: "SEC. 6. That the President shall be, and is hereby, authorized to appoint interpreters to the consulates at Shanghai, Tien-Tsin, Foochow, and Kanagawa, and to allow them salaries not to exceed in either case the rate of two thousand dollars a year; and to appoint interpreters to the consulates at Hankow, Amoy, and Canton, including Hong-Kong, and to allow them salaries not to exceed, in either case, the rate of seven hundred and fifty dollars a year; and also to allow,

at his discretion, a sum not exceeding the rate of five hundred dollars for any one year to any one consulate in China or Japan, respectively, not herein named, for cost of interpretation.

SEC. 6. That no person shall hold the office of vice-consul within any consular district named in Schedules B and C, or discharge the duties thereof, who shall not be a citizen of the United States, nor shall any person hold or perform the duties of such office of vice-consul until he shall have taken an oath of office as prescribed by law.

SEC. 7. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 8. That this act shall take effect on the first day of July next.

Passed the Senate March 25, 1872.

Attest: GEO. C. GORHAM, *Secretary.*

AN ACT

To amend an act entitled "An act to regulate the diplomatic and consular systems of the United States," passed August 18, 1856, and for other purposes.

APRIL 5, 1872.—Read twice, referred to the Committee on Foreign Affairs, and ordered to be printed.

Ack Dec 26 Ans Mr. Bancroft

No 198



Legation of the United States
Peking, October 14. 1872
Frederick F. Low
to
Department of State

Subject

Reception of Department Circular N° 25 and despatch N° 96.

No 198

Legation of the United States
Peking October 14 1872

Sir:-

I have the honor to acknowledge the reception of Department circular No 25 and despatch No 96, of the 5th and 20th August, respectively.

The instructions in regard to Mr Tremblys claim against the Chinese Government will receive due attention.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low,

Hon Hamilton Fish
Secretary of State.

Ack- appmt Dec 26
Ack'd.

Capital

Mr. Bancroft

FOREIGN Relations '73

No 199

Legation of the United States
Peking, October 17, 1872.

Frederick F. Low

to

Department of State

DEPARTMENT
RECEIVED
DEC
26
1872
OF STATE

Subject.

The Emperors marriage.

Gives the substance of what occurred at an interview between two Ministers of the Yamên and himself when the former came to the Legation to give notice of the marriage, and request that foreigners would not intrude.

No 199

Legation of the United States
Peking, October 17, 1872.

Sir:-

In pursuance of a Decree issued some months since the Imperial marriage was celebrated yesterday, with all the forms and ceremonies usual on such occasions in this country.

The procession left the Palace Grounds at about four o'clock P M on the 15th instant, and proceeded to the residence of the Empress elect, which is located outside of the Hon Hamilton Fish, Secretary of State.

the Forbidden City, in the one where the Legations are; it returned, escorting the chair of the Empress, by the same route, and reached the Palace before daylight of the 16th. All the streets through which the procession passed were closed to spectators as well as travellers on the two days mentioned.

On the 13th instant two ministers of the Yamên, Chungkow and Chungkin, visited the foreign Legations. Their intended visit was announced beforehand, but no mention was made in the

the note (which is usually the case) of its object.

At this interview the conversation commenced by their informing me that their visit was made in obedience to the orders of Prince Kung, for the purpose of notifying the several Legations that the Imperial marriage would be celebrated on the 16th instant; that the streets of this city through which the marriage procession would pass, would be closed on the 15th and 16th; and that, in order to secure to the procession entire exclusion from the public barricades,

would

would be erected across all streets intersecting the main route, and a patrol of police and soldiers would be stationed along the route to arrest all who should attempt to transgress the rules laid down. In addition, the foreign Ministers were requested to give notice to all their nationals of the facts before stated, and issue strict orders to prevent any attempt on the part of foreigners to appear on the streets forbidden to the public.

The foregoing is, in substance, what was said, although the conversation was interspersed

with

with polite and excusatory
expressions by Chunghow.

In reply I said, that
if the Government chose to
make the Imperial marriage
a private ceremonial no ob-
-jection could be reasonably urged
against it by foreign Governments,
although such was not the
customs usual in Christian
countries; and that if the
municipality closed, temporarily,
certain streets of the City I
should not conceive it to be
my duty to enquire into the
reasons for so doing. In
the present instance, however,
the marriage had, by this action

of

of Prince King — sending the ministers to notify the foreign Legations — been changed from a private to a public ceremonial, and as such, foreign Governments might reasonably object to the mode and manner in which the announcement had been made.

I also observed that, as regards the issuing of the notification to my countrymen, it would be done as an act of courtesy; but I could not allow the occasion to pass without frankly expressing the opinion that the orders

of

orders of the Government — placing the foreign ministers on a par with their servants so far as this order for exclusion went — were wanting in that hospitality and politeness which should characterize intercourse between friendly nations.

The Chinese ministers tried to excuse and explain away this act of apparent rudeness, but their explanations, though undoubtedly satisfactory to themselves, failed to change my opinion of the whole affair.

It is understood that

that the other foreign Ministers
recieved the whole thing in
the same light I did, and
expressed opinions not unlike
mine, though perhaps stronger

I have the honor to be

Sir,

Your Obedient servant

Frederick F. Low

Sent Adams Dec 26 Rec'd

Mr. Bodan

No 200 One Enclosure

Legation of the United States
Peking, October 18, 1872.

DEPARTMENT OF STATE RECEIVED DEC 26 1872

Frederick F. Low

to

Department of State

Subject

Protection of Swiss citizens.

Encloses copy of a circular despatch to the Consuls containing the instructions of the Department, and gives the reasons for the Ministers previous action,

No 200 One enclosure

Legation of the United States
Peking, October 18, 1872.

Sir:-

Referring to Department despatch No 92 of 25th June and the instructions contained therein, I have now the honor to inform you that they have been communicated to all the Consular officers in China, in a circular despatch, copy of which I beg to transmit herewith.

The opinion of the Department in the despatch from Hamilton Fish referred to, Secretary of State

referred to, with reference to the protection that may properly be afforded to the citizens and subjects of non treaty Powers, clearly defines the limit of such protection and the manner of doing it; it leaves no room for doubt as to the course to be pursued by Diplomatic and Consular officers when such cases occur in China. Its immediate effect will also be to relieve these officials from grave responsibilities.

It is perhaps due to myself, in this connection, to observe, that the question as to the legal rights of Diplomatic and

and Consular officers to assume jurisdiction over persons other than American citizens did not escape my attention when attempting, in conjunction with Prince Kung, to fix upon some plan that would afford real protection to Swiss citizens.

Section four of the Act of 22d June, 1860 provides for the extension of the laws of the United States and Consular jurisdiction over "other persons" in certain contingencies; and Mr Attorney-General Cushing in his somewhat celebrated opinion, under date of 8th October 1855, concerning the proper

construction

construction to be given to a section in the Act of August 11. 1855, which is almost identical with section four of the Act of 1860, says; x x x "The statute x x assumes that "the Consular Courts are to "administer justice in some "cases not confined to citizens "of the United States. It extends "the laws, which it prescribes "to citizens of the United States, "and to <u>all others</u>, to the extent "that the terms of the treaty "justify or require. Among "those "<u>others</u>" are subjects of "China and of any Government "who by voluntarily making themselves"

"themselves parties complainant
"or demandant before the Con-
"sular court, appeal pro tanto
"to the laws of the United States."
The Chinese Government having
expressed its willingness that
Chinese citizens might place
themselves under the protection
and control of U.S. Consuls,
~~to~~ subject to the conditions
of the treaties and laws of
the United States, it seemed
to me, in the absence of par-
ticular instructions on the
subject, that the acceptance
of the trust was justified by
the act of Congress before referred
to. This was done in obedience

to

to what I assumed to be the wishes of the Department, and not with any desire to increase the functions of our officers here.

That the policy of imposing, upon, or permitting Consuls to assume trusts of the Character referred to, is questionable, there can be no doubt. It is especially the case in Countries where Consuls are invested with judicial functions. But, if such trusts are accepted conditionally, the Government making the application should, to prevent misapprehension and disappointment, be clearly informed

informed of the limits of Consular interposition in behalf of their citizens or subjects.

I regret to say that I am unable to share in the anticipation of the Department, — that Ship Citizens will have efficient protection by personal and unofficial application in their behalf by our Consuls.

I have the honor to be
Sir
Your obedient servant
Frederick F. Low

Enclosure

No. 1 Mr Low to all the Consular officers in China. Oct 15, 1872

Enclosure No 1
Despatch N° 209

Legation of the United States
Peking Oct. 15 1872

Sir:

The State Department has decided that a proper construction of the Treaty with China, and the Act of Congress of 22nd June 1860 for carrying into effect certain provisions of that instrument, do not and cannot confer upon Diplomatic and Consular officers of the United States in this Empire judicial and other powers except as regards citizens of the United States, and that when the good offices of Diplomatic and Consular officers are sought to protect citizens or subjects of other Powers, such interposition must be confined to unofficial and personal representations of such functionaries to the Chinese officials.

This view of the subject will be accepted as an authoritative construction

construction of Department Circulars Nos. 11. and 15. of the 16th June and 15th December 1871; and you will consider my Circular despatch of April 17th 1872, modified accordingly.

I am, Sir,

Your obedient Servant

(Signed) Frederick F. Low

Note.

A copy of the foregoing has been addressed to all Consular officers in China.

Sub Summary for Dge
Jany 8
Desp 20 8 Jan'y

Mr Burdan
Has Mr Jewell been notified by the Department of the
decision of Jan 8th
Feby 13

No 201 One Enclosure

Legation of the United States
Peking, October 21, 1872
Frederick F. Low
to
Department of State

DEPARTMENT
RECEIVED
DEC
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1872
OF STATE.

Subject

Trial of a subject of
New Granada by the Consul at
Canton.

Encloses the report
of Mr Consul Jewell of his
proceedings in the matter.

Thinks

Thinks the Consuls proceeding extraordinary, and asks the opinion of the Department.

Will not reply definitely to Mr Jewell until the views of the State Department are known.

No 201 One Enclosure

Legation of the United States
Peking, October 21, 1872.

Sir:

Herewith I have the honor to transmit copy of a despatch received from the Consul at Canton, in which are detailed the proceedings in the case of one Serrano, a citizen of New Granada, who was arrested at Swatow for being concerned in illicit coolie operations, in connection with Wermouth and others.

Hon Hamilton Fish
Secretary of State

As the Consul does not say that he has reported the case to the Department, and as his action in this matter appears to have been unusual, I deem it my duty to submit a copy of the report referred to for your information and decision.

The action of the Consul Seems all the more extraordinary in view of the fact that the Consul at Savaton declined to take jurisdiction of Serrano's case on the ground that he was not an American citizen.

Were the case still pending,

or

or were there reason to appre-
-hend that other cases of a like
nature would soon occur, I
should consider it to be my duty
to disapprove, in the most em-
-phatic manner, of the Consuls
proceedings without waiting
for the decision of the Department.
As however, this particular
case is concluded, and the other
contingency not being likely to
arise soon, it seems on the
whole better to await the in-
-structions of the Department
before replying definitely to Mr
Sewell. I am all the more
inclined to adopt this course
from the fact that this case

is

is one that has arisen from the Ship "Congress" affair at Sivatow, which is now before the Department.

Mr Jewell has been requested to send copies of all the correspondence between himself and the Viceroy touching the case of Serrano. If there should be found anything in it which conflicts with the report enclosed, you will be apprised of the fact without loss of time.

I should add, for your information, that, in one or two cases that have occurred wherein the subjects of non treaty Powers have been arrested on criminal

criminal charges, the Chinese officials have invited one or more Consuls of friendly nations to sit as assessors in the trial of the cases. This action on the part of the local officials has been considered only ~~as~~ a courtesy, and not in any way a right which could be claimed.

This altogether probable that the Governor-General intended to pursue the same course in the trial of Serrano, and that his suggestion that he "be "tried by the United States and "English Consuls", meant this and nothing more. The

proposition

proposition, if so intended, does not seem to have been properly appreciated by Mr Jewell.

I have the honor to be,

Sir,

Your obedient servant

Frederick F. Low

Enclosure

No 1. Mr Consul Jewell of Canton to Mr Low. Sept 5/72

Enclosure No 1
Despatch No 201

No. 20.

United States Consulate
Canton 5th September 1872

Hon. Frederick F. Low
U. S. Minister
Peking China.

Sir:-

I have the honor to report a case, of a somewhat peculiar nature, which has come before this Consulate, and has been finally passed upon. As it is one for which I could find no precedent, and as the circumstances would not permit me to wait for instructions from any quarter, I found it necessary to be governed by my own sense of duty, and take the chances for the approval of my course, by my superiors afterward. In reporting it, I beg the indulgence of the Hon. Minister, if he should find me a little prolix.

On the seventh day of May last the American ship "Congress" of Boston, Mass. was chartered by a

a citizen of the United States of Colombia, named Nicolas Sanco Arnuo. She was to proceed from Hong Kong to Swatow, and there take on board a specified number of free Chinese laborers, and convey them to the Port of Callao, Peru; consent having first been obtained from the Chinese officials, and from the American Consul at Swatow, in recognition of the lawfulness of the enterprise.

These conditions, as well as many others, are detailed in the Charter party. all seemingly having in view a just respect for the laws of China, as well as those of the United States, having reference to Coolie emigration, and of course, so far as the parties to this Charter party seem to have understood these laws and Regulations. The health and comfort of the passengers seem also to have been well provided for, and all has the appearance of having been entered into with no

desire

desire to evade the laws.

Several days before the ship left Hongkong, a naturalized citizen of the United States of America (a German by birth) named Otto Stermouth, and who seems to have been employed by Armers to manage the enterprise, (in lieu of his own presence on the spot) proceeded to Swatow for the purpose of completing arrangements. The first thing necessary in a matter of this kind was to obtain the consent of the Chinese officials; and next, that of the Consular officer representing the nationality of those concerned, as well as the flag of the ship. After some days residence in the house of the American Consul, to whom he went well recommended, he does not seem to have obtained the necessary consent to the enterprise as projected. But he did obtain said consent to the shipment

of

of voluntary emigrants to the Southern States of the United States of America. It would seem from this state of things that deception was intended, at least by Vermouth.

He is a man of sanguine temperament, and probably thought he might purchase the consent to the enterprize as prospected; and finding himself deceived in his opinion of his host, he fell upon the next alternative. but however this may be, all parties connected, profess to have been deceived by him.

About the time of the sailing of the ship Congress for Swatow, a New Granadian named Juan E. Serano and a Chinaman named Chun Ah Kwon embarked on board an English Mail Steamer and next day landed at Swatow.

The Chinaman had lived in Peru and spoke the Spanish language fluently. He seems to have been engaged to perform the

the duties of a Comprador or Steward to the enterprise, whilst Serrano was a personal friend of Armero, and was designed to act as Cashier.

Soon after landing, not being posted as to the new turn given to the enterprise by Vermouth, and on the occasion of his first meeting with Vermouth at the United States Consulate, where he sought him, (in a conversation with the Consul, soon after his introduction to him,) he innocently spoke of all connected with the enterprise, and of its destination being the port of Callao in Peru.

The Consul seems to have immediately retired, showing signs of anger. Confusion, disappointment and angry expressions were at once exchanged between Vermouth and Serrano, and they separated, no more to be friends.

In a day or two after, all were arrested, and preparations were made for the trial of all who were

were citizens of the United States of America. The Consul demanded the Charter party; this and the advertisements which he also became possessed of, when compared were enough to show the deception which was being practiced by Vermouth; and he was convicted of an attempt to violate the laws of the United States, having reference to Chinese coolie emigration. I know not what was done by the Consul with the master Purrington, and the ship "Congress."

But as Serrano had already informed the consul that he was still a citizen of New Granada otherwise the United States of Colombia, notwithstanding he had lived twenty four years in the United States of America, the Consul turned him over to the Chinese officials, and they made haste to place him in prison.

It appears that the Consul, in

his

his first despatch to the Viceroy informing him of the attempt to violate the laws, and before a trial was yet had, expressed himself as entertaining the opinion that Serrano was not guilty of any evil design. For this reason, and anxious for the conviction of all concerned, the Viceroy ordered Serrano, (indeed all) to Canton for trial. He immediately notified me of what had taken place, and expressed himself as desirous that "all the prisoners, as "well as the ship, should be sent "to Canton to be tried by the "United States and English Consuls." Of course, he was very wrong - but is excusable, for reasons quite apparent.

On the 5th day of August last Serrano reached Canton, a prisoner on board the Revenue Steamer Chen to. On the 6th of the same month, Monday, he made application to this Consulate for

for the good offices to which he was entitled, by virtue of the Treaty between the United States of America and New Granada, from the Consuls of the former government. At same time his application was received, there came also a despatch from the Vicroy informing me of the arrival of the prisoner, and conveying a request that I would try the case in conjunction with the Kwang Chaw Foo or Prefect, (who is also called Intendant of Circuit) saying as will that he had ordered the Kwang Chaw Foo to appoint a day for the trial, and to give me notice of the same. This information prepared me fully for his claim of jurisdiction, and that, in case of disagreement upon a judgement between His Honor and myself His Excellency would of course take side with the Kwang Chaw Foo, rendering my opinions by this course, of little or no value.

Well knowing the anxiety of

His

His Excellency to convict, in this instance for the reason, that only a few days before, I had placed in his hands a bold and well written despatch from yourself to the Imperial Yamên Charging the Chinese officials of this province with shameful delinquencies in connection with the Coolie traffic.

And knowing well that whether guilty or innocent the prisoner would not have an impartial trial, because the witness that would be relied upon to convict him, was also a prisoner similarly charged, and who had been repeatedly tortured in order to compel confession of his own and the guilt of others, I determined to adopt the only alternative left me, in case the Government should persist in its claim of jurisdiction, viz. to compel it to rely entirely, so far as I was concerned upon its own resources for information to prosecute the

Case

case to a successful conclusion.

Therefore without waiting to acknowledge receipt of His Excellency's despatch, I at once demanded an audience "for the "purpose of inquiring into a "matter that would not bear "delay." My request was promptly granted. With a few compliments, I solemnly but respectfully requested to know upon what authority he claimed the right to try an American citizen in a Chinese tribunal. He was confounded and entirely unable to answer. — merely saying in reply to my question "I think "you will admit that in this "case the laws of both nations have "been violated, and hence that the "prisoner ought to be tried by a "court having joint jurisdiction."

I then said — "Suppose I grant "the truth of your position, you "have not still answered my "question." "Let me now ask your

Excellency

"Excellency to tell me whence you
"obtain the right to the custody
"of a citizen of a Western Christian
nation, and propose to try him
"in a Chinese court."

He replied "This man is a
"citizen of a nation which has
"no treaty with China — he has
"been handed over to us by a
"Consul of your country — hence
"I think we have a right to try
"him by Chinese laws."

Thinking he might contend for
that right, and that if I refused
to recognize it the prisoner
would have no representative to
defend his case, and well knowing
that the consent of China to a
recognition of the influence
intended to be conferred by the
III Art. of the Treaty between
the United States and New
Granada had not (probably)
been obtained, without which
the influence would not be
binding upon China, I felt

very

very sensibly the delicacy of the situation. But I determined to risk another question, and said - "Let us come directly to "the point. Does your Excellency "intend to insist upon these "rights in this case?" He replied - "I am anxious for the trial of "this prisoner. I do not feel like "taking the responsibility. I will "turn him over to you, if you will "take him. But I think he "ought to be tried by a joint Court."

I remarked that if I accepted the trust at his hands, the prisoner should be tried by a joint tribunal; but suggested that the prisoner be sent back to Swatow, and there turned over to Mr. Stringate with the understanding that he be tried before a mixed Court. He peremptorily declined, saying "If I send the prisoner to Mr. "Stringate, he will acquit him, and "how shall I report to my govern- "ment." I remonstrated, urging

the

the injustice he was doing Mr. Stugate, but without effect.

I then said, "if I try him, I may also acquit, as I would not convict unless the evidence showed undoubted and intentional guilt" He very kindly expressed confidence in my integrity and judgement.

Perceiving no better course, I accepted the control of the case with the request that the prisoner should be allowed to remain on board the Revenue Steamer (knowing that he would be much more comfortable there than in any prison) until such time as I could make it convenient to fix a day for his trial, or take charge of his person. This was consented to. The prisoner was allowed the free run of the ship, and ate at the table of the Captain with the officers.

But in two days after, this Excellency again advised me, that

that he had ordered the Kuang Chau Fuo to name a day for the trial, and requested me to unite with him, when I was notified. This was faithfully performed by the officer named, who kindly solicited my presence at his Court. Of course I refused, saying that the honor of fixing the day was mine; when I would have the pleasure of inviting his presence. A correspondence now took place between the Viceroy and myself continuing for two weeks, on the subject of jurisdiction. It was sustained on both sides by a due regard to politeness and entire good humor. Although the cases are not strictly analagous, yet I felt that I could perceive enough to fortify my position in the cogent logic of the Honorable Secretary of State in the case of Kossta to warrant firmness on my part in the

maintenance

maintenance of the principles and duties of our Government so forcibly elucidated in that great discussion. At length His Excellency yielded, a second time. I took advantage of his request (conveyed in his last) that I would name a day for the trial to request him to furnish me with the charges, so that I might put the prisoner in possession of them, and give him a chance to prepare his defense.

As soon as the prisoner informed me that he was ready and willing to submit to the decision, whatever it might be, I named the 26th day of August as the time to commence the investigation; precisely three weeks from the day of the arrival of the prisoner in Canton.

The Kwang Chau Foo was notified, and in my despatch informing His Excellency of the time named, I took occasion to say that I would feel pleased if he would send

as

as many high officials to be present at the trial as he might see proper.

I also took the precaution to invite the presence of the English, French, Prussian and Spanish Consuls. The Prussian Consul only honored me with his presence and sat patiently throughout the whole of the first day.

All being ready on the day named, the prisoner, Serrano, having been brought into court by Chinese officials, the Kuang Chas Foo was assigned a place on my left, the place of honor, according to Chinese etiquette. His Honor was accompanied by another high Mandarin, and a good many retainers. After submitting some rules for our guidance (which were agreed to by His Honor) the only witness for the prosecution was introduced, heavily loaded with chains. He had evidently been severely scourged. His name was Chun Ah Kwun, the same who had accompanied

Serrano

Serrans to Swatow from Hong
Kong. He had lived several
years in Peru and in Manilla,
had an easy use of the Spanish
tongue, and has acquired consid-
erable wealth, I am informed.
As soon as he came before the
Court he fell upon his face,
after the custom of Chinese
tribunals but I immediately
ordered him to rise, be released
from his chains, and to give his
testimony in an upright or
standing position. The chains
around his neck, and those
binding his wrists to his ankles,
were removed — those binding the
legs together at the ankles could
not be taken off, for the reason,
I was assured, that the key had
not been brought along; and, hence
he was allowed to give his evidence
in that condition, the Consul
notifying His Honor that a
condition of that kind, together with
the fact that he was under no
solemn

solemn obligation to tell the truth, would necessarily weaken his evidence very much in the mind of all Christians, belonging to Western Nations. His Honor protested against the witness, who is also a prisoner being allowed to stand while giving his evidence, saying that he should give it upon his knees in deference to the Court. The Consul would not consent to such an usage in his court.

The witness began with his first meeting with Serrano (as he pretended) and continued the narrative until the arrival at Swatow, and the final arrest of both, giving many facts, dates &c all of which are recorded.

The Chinese authorities then filed as additional testimony the certified copy of the Charter-party - a copy of a letter from Aitkens to the master of the ship "Congress," and one of the

advertisements

advertisements found in the possession of Stermouth (and, no doubt intended to have been posted) and a copy of a despatch from the Taotai to the Viceroy in which said official urges the punishment of all concerned. These papers had previously been furnished me by the Viceroy, and are carefully preserved among the archives of this Consulate.

Serrano was defended by an English lawyer from Hongkong. He was now put upon the stand in his own defense. Of course he was solemnly sworn. His evidence contradicts nearly every statement made by the Chinese witness - all of any value to the prosecution.

He produced a certificate from the keeper of the hotel at Macao, (sworn to before the judge of the Supreme Court of Macao, to which is attached a certificate of the Prussian Consul, as to the

the genuineness of the signature of the Judge) showing that four months of the time Serrano was said to have been in Hong Kong by the Chinese witness, he was in Macao, in this mans hotel, notwithstanding that the Chinese witness had declared that Serrano had not lived in any other place than Hong Kong. It must be recollected that the said Serrano had arrived in Hong Kong from New York in December 1871, and had left Macao for Swatow on the 23rd day of May 1872. He had lived in New York City twenty four years, and is a surgeon dentist by profession. Had also practised his profession in Macao.

But the most important and really interesting event connected with this trial is to be told.

The Chinese witness Chun Ah Kwun was originally a Coolie. He had gone to Peru many years ago, after his return he had gone to Manilla, and again returned to China; during

which

which time he had acquired a control of the Spanish language.

He seems to have been partial to those speaking this language, possibly because he also discovered the advantages its possession gave him as a means of communication between the Spanish South Americans, the Portugese and his own countrymen; he located in Macao. Here he entered into the employment of Arnero, extensively engaged in the coolie trade between Macao, Cuba, and Peru. I know not if he was otherwise employed by Arnero in Macao, than as an Interpreter or Compradore, nor does it matter, in the Swatow enterprise he seems to have been specially designated for those positions. However this may be, there was no time given after the arrest, for any understanding to be entered into between Serrano and and Chun Ah Kwun, if they had been so disposed, with reference

to

to the future.— Hence, each had to
defend himself without the other
assistance. Chun Ah Kwuns co
sustains the truth of the adage
"Self preservation &c". In the exam
tion which soon followed his arr
before the Chinese officials, he labor
to exculpate himself by casting th
blame upon others. Probabl
it was true that others should
entirely blamed, and that he w
entirely guiltless in said enterp
In the Courts of Western Nations
is not so necessary that he sho
establish his innocence, as fo
the prosecution to prove his guil
Not so in a Chinese tribunal;
he must prove his innocence
Some one must be punished.
Knowing that all the others had
been taken in Charge by the
United States Consul, except
Serrano and himself, he
determined to throw all the blam
upon Serrano, rather than
mention the name of Armero.

for

for he knew that Ximeno was well known and any connection between himself and Ximeno, would at once establish his guilt in the minds of the Chinese officials. And he must also pretend to be an entire stranger at Macao.

So he invented quite a story of his connection with Serrano, a man of whom he knew little — indeed nothing, of a criminal character. As the torturing instrument was fully applied, he extended his recollection to facts and circumstances that never had an existence, without thinking, possibly not caring, whether he could reproduce them.

When the Chinese officials heard Serrano's evidence, immediately following that of the Chinaman, and found it so entirely different, they hit upon the plan of introducing another person who could speak the

Spanish

Spanish language. So when the court met on the morning of the second day, a sprightly young Chinaman had been added to the retinue of the Kwang Chau Foo. With the aid of this young man His Honor proceeded to cross examine Serrano in the Spanish language. After a rigid cross examination in all points of importance, and learning from Serrano that the Chinaman had lived in Macao certainly for the four months that the former had resided in the Hotel in that city, His Honor asked the Consuls' permission to again introduce the Chinese witness whilst the New Granadian was still upon the stand. Notwithstanding the irregularity and remarking that I could not perceive any good result the proposition was tolerated. The Kwang Chau Foo commenced to interrogate the Chinese witness upon some material points of

difference

difference in the testimony as given by the two men. The witness apparently discovering for the first time the difficulty of his position, and not knowing that any person, save Serrano and himself in the Court room, spoke the Spanish, he begged Serrano to instruct him as to what he should say to the questions that were being put by the Kwang Chas Fu. Serrano told him to "speak the truth — "nothing but the truth." "I dare "not" the other replied "the "Mandarins would take off my "head." Serrano then said "You "are a Christian — speak the "truth, and depend upon God "to save you." "Tell nothing but the "truth." The poor fellow was much bewildered; and whilst foolishly picking at his dress, as if losing his senses, he spasmodically uttered the words — "my life will be forfeited"

The

The conversation was at once reported to the Kwang Chas Fu. He merely shrugged his shoulders and laughed aloud. He ordered the poor Chinaman to be taken away, and proceeded to ask a few more questions of Serrano. He seemed to fel sorrowful that his case had broken down. This he acknowledged, and would leave the judgement entirely with the Consul, stating that it would not be necessary for him to come again.

It was now nearly dark. The Consul stated that he would take the evidence into consideration, and give his judgement the next morning at eleven o'clock.

The Court met on the morning of the third day, at eleven o'clock.

The Chinese Magistrate, having stated that it would not be necessary for him to be present, as nothing else would be done than rendering of judgement, which he anticipated, the Consul proceeded without

without his presence, to give the opinion of the Court in the following words:—

"Juan E. Serrano, You "have been charged by the "Provincial Government of "China in this Consulate (and "have been tried upon said "charges) with a violation of the "laws of China, in connection "with the Coolie Emigration Rules "as promulgated by the Imperial "Yamên at Peking." "After a "patient examination of your "case, based upon said Charges, "in conjunction with the official "representative of the Chinese "Government (in this case the "Kwang Chao Fu) and after "weighing carefully all the "evidence the Government was "able to produce against you, the "Court is of opinion that the "prosecution has failed entirely "to show the remotest guilt on "your part, and therefore is

pleased

"pleased to announce the fact
"that you are honorably
"acquitted of all and every of
"said charges, making it
"necessary to again return to you
"the enjoyment of unrestrained
"liberty."

I have the honor to be, Sir,
Your obedient Servant
(Signed) R. G. H. Jewell
U. S. Consul

Ans. as per Memo
Dd 28
Mr Borlan
Dd as 31 Dec.

Sub

Copied

No 202

DEPARTMENT OF STATE
RECEIVED
DEC
26
1872

17 Enclosures

Legation of the United States
Peking, October 23. 1872
Frederick F. Low
to
Department of State

CONSULAR Pekin Oct 23

Subject

Missionary trouble at Hangchow.

Encloses copies of correspondence between the missionaries at Hangchow and Mr Consul Lord of Ningpo, and despatches from the latter to the Legation. In the latter the Consul gives in detail

an

an account of his visit to Hangchow, in company with a representative from the British Consulate; a resumé of the conversations between them and the local officials; the prevarication of the latter and their official promise to release the prisoners; and of his return home, by request of the officials, before their promise was fulfilled. The letters from the missionaries subsequently, show how tardily and in what bad faith the promise had been partially kept. Suggests that an allowance be made the Consul to cover the expenses of his trip.

No 202 17 Enclosures

Legation of the United States
Peking, October 23, 1872.

Sir:-

About two months ago, a covert hostility on the part of the officials to missionary operations appeared at Hangchow, the capital of the province of Chekiang.

That city being nearer to Ningpo than any other port the missionaries reported their troubles to Mr Consul Lord and

Hon Hamilton Fish
Secretary of State

and asked his assistance. The Consul, in company with the Interpreter of the British Consulate, proceeded to Hangchow without delay to look into the matter.

The letters of the missionaries to the Consul and the despatches of the latter to me, copies of which are enclosed, will put you in possession of all the information in my possession as to the cause of the trouble, the action taken by the Consuls, and the results so far as known.

It is to be hoped that the local officials, finding that

that notice was promptly taken of their action by the Consular representatives of England and the United States, will cease their opposition, and refrain from further acts of indirect hostility. Of this, however, I am by no means certain.

This case affords a striking illustration of the difficulty, if not practical impossibility, of affording "protection" to missionaries when residing inland; it also shows the unusual and cruel devices to which Chinese officials will resort to accomplish their

their purposes, and at the same time avoid transgressing the letter of treaty obligations.

A perusal of the enclosed correspondence can hardly fail to impress upon with the utter lack of good faith on the part of Chinese officials, which renders the settlement of questions such as this, which are constantly cropping up, a matter of extreme difficulty.

I have approved and commended all that Mr Consul Lord has done, and have instructed him to use all reasonable and proper efforts to save from harm

the

the missionaries at Haugchow, and obviate if possible the necessity of their removal.

It should be stated in this connection that the City where this trouble arose is about 140 miles from Ningpo, the nearest port.

In responding to Mr Lords request for instruc-tions as to the rights of the missionaries and his duty in the premises, I have sent him a copy of my No 40 to the Department, and the reply approving of my views.

But while my opinion is clear and decided, that missionaries

missionaries have no right
to reside permanently away
from the open ports, it should
on the other hand, be stated,
that for some years after
the treaties of 1860 were ratified
a contrary opinion generally
prevailed; nor do the Chinese
openly question the right of
residence in the interior now,
as will be seen from the
Consuls letters to me.

A retrograde movement
on the part of the missionaries
would be impolitic now, hence
I shall do what I can to
keep them where they are
in safety. But while doing

this

this I shall not fail to
impress upon them that neither
treaty right nor good policy
will sanction the extension
of old, or the establishment
of new, missions in the interior.

The slender compensation
which the fees afford the Consul
at Ningpo hardly warrants
him in undertaking long
and expensive journeys into
the interior on public business.
Mr Lords trip to Hangchow
may properly be considered
an extraordinary duty, which
was promptly and ably performed.
I would therefore suggest
that a suitable allowance be

made

made him to cover extraordi-
-nary expenditures of the kind
alluded to. It is proper
that I should say in this
connection, that this sugges-
-tion is made on my own
motion, and does not come
from any request of Mr Lord.

I have the honor to be
Sir,
Your Obedient Servant
Frederick F. Low

Encl

Enclosures

1 Mr Lord to Mr Low. Sept 7. 1872

2 Mr Lord to Mr Low Sept 21. 1872.

3 Messrs Helm & Houston to
Mr Lord. Sept 3. 1872.

4 Mr ~~Lyon~~ Moule to Mr Lord, Sept 3. 1872.

5 Mr Lyon to Mr Lord Sept 4. 1872.

6 Do " Do Sept 7. 1872.

7 Mr Helm to Mr Lord Sept 9, 1872.

8 Mr Lyon to Mr Lord Sept 9. 1872

9 Mr Lord to Mr Low Sept 30. 1872

10 Mr Houston to Mr Lord Sept 17. 1872.

11 Mr Lyon to Mr Lord Sept 19, 1872.

12 Mr Helm to Mr Lord Sept 20. 1872.

13 Mr Lyon to Mr Lord Sept 21. 1872.

14 Mr Helm to Mr Lord Sept 23, 1872.

15 Mr Lyon to Mr Lord Sept 24, 1872.

16 Mr Lord to Mr Helm Sept 27. 1872

17 Mr Lord to Mr Lyon Sept 27. 1872

Enclosure No 1
Despatch No 202

No 311

United States Consulate
Ningpo Sept 7. 1872

Sir:-

Intelligence of disturbances at Hang Chow, the Capital of this province, has just reached us. It seems that the Magistrates there have arrested, or are arresting, many or all the persons who have sold or leased property to foreigners. And the state of things in consequence seems to be very unquiet. All the natives connected with foreigners, and even foreigners themselves, seem quite alarmed. The British Consul has consulted with me on the subject. His health not permitting him to go himself, he has requested to send his Interpreter up, and I have Hon Frederick F Low. concluded
U S Minister, Peking.

concluded to go with him, to look into the matter and see what, if anything, needs to be done.

I write this on Saturday night. We shall probably start by the earliest tide tomorrow.

I do not apprehend that any violence will be used towards our countrymen. But one can never tell at such times of excitement how far the rabble will be carried away by it. I suppose I shall necessarily be absent a week or ten days. I shall write you further on my return.

I have the honor to be
Sir
Your obedient Servant
(Sgd) Edward C Lord
U.S. Consul

Enclosure No 2
Despatch No 202

Copy.

No 35

United States Consulate
Ningpo Sept 21. 1872

Sir:-

I wrote you hurriedly on the evening of the 7th instant, just before starting for Hangchow, stating that I, in company with Mr Solbe, representing the British Consul here, was going up to look into and, if possible, allay the excitement there, growing out of the arrest of and punishment of natives connected with the transfer of lands on which the dwellings, school houses and Chapels of the English and American Missionaries are erected. I beg now to report to you the result of our expedition.

We left Ningpo on the 8th and arrived in Hangchow

Hon Frederick F Low
U.S. Minister, Peking

on

on the forenoon of the 11th.
Immediately on our arrival
and meeting with a couple
of the Missionaries, we requested
them to call a meeting of all
the English and American
Missionaries in the City at
as early an hour as conven-
-ient, as we desired to learn
in the briefest and most reliable
way all we could relating
to the present difficulty. These
gentlemen readily complied
with our request. At 3 Oclock
P M we met at the house of
the Rev Mr Lyon all the
English and American Mis-
-sionaries residing in Hangchow
excepting one who was ill, and
two who were in the country.
We asked them to give us all
the information they had re-
-lating to the Origin and history
of the present movements.
They did so. But I need

not

not repeat their statements here, as they were much the same as those contained in the accompanying letters which they had written to us before our arrival, but which had not all reached us at that time.

The statements that had reached us before leaving home, supplemented by those made to us now, left us no doubt in our minds that the present movement, though not officially so announced, was deliberately directed against foreigners; and that the object aimed at was to get rid of them sooner or later, by making it difficult for them to retain their present places, and impossible to obtain others. We were of course aware that the question has been raised as to whether missionaries

have

have any treaty right to secure dwellings and reside in places other than the open ports. Both missionaries were here, and they had been here for many years. No objection had been made to their coming or remaining, either by native or foreign officials. Moreover, they came with the impression that they had this right; for at first such was the popular, if not the official interpretation of the treaties; and such has always been, and still is, the interpretation of them here by the Chinese officials. Under these circumstances it seemed proper to use our official influence to protect our countrymen, as far as possible, from danger and annoyance while inoffensively pursuing their benevolent

work

work.

Before leaving home I had thought of applying (if application were needed) directly to the Zotai. But on reaching Hangchow and becoming more fully acquainted with the matter before us, it appears to me, and also Dalbo likewise, that it would be better for us to put ourselves in connection with the District Magistrate,- there two,- each presiding over a different portion of the City. They had direct ~~comm~~ jurisdiction in the matter; and our accap to them would perhaps be less guarded and less difficult. Moreover, with the principal of the two District Magistrate I was personally acquainted, as he had formerly filled that office for a year or two at Ningpo.

It

It is true he had been regarded there as an officer of bad temper and bad conduct; yet nothing had occurred to bring him and myself into unfriendly relations. So I might hope to meet him on better terms than if we were entire strangers.
Having decided on the course to pursue we sent in our cards towards evening on the day of our arrival asking permission to call the next day at 10 o'clock. They replied that they would receive us at 11 o'clock, — they had engagements until that time, it being one of the set days for calling on the Footai. (Governor) It occurred to us that they suspected our business, and desired to consult with the Footai as to the course to be pursued towards us.

This

This at first was only a suspicion; it subsequently became a conviction.

At the hour appointed we repaired to the District Magistrates. Their Yamens were located in the same compound. We called first on Tiao Kwang-yu (姚光宇) the Magistrate of the Jin-Ho (和仁) district. After a little waiting in the reception room he met us courteously and invited us to our seats. After the usual compliments and small talk Mr Dolbe, whom I had requested to act as Interpreter, said that we had called on him on a matter of business; and he then proceeded to state that we had been informed that all the persons known to have rented or sold, or aided in renting or selling, places to foreigners in Hangchow had

had been ordered to be arrested, that a number of them had been arrested, and that two or three had been severely punished. Before Mr Dobbs had finished his remark the Magistrate interrupted him with the reply, that the arrest and punishment of the persons referred to had no connection with foreigners. This remark was made in such a way as to indicate that our attack had been anticipated, and this had been determined on as their method of defence. The Magistrate went on to remark that the missionaries had long lived in Hangchow, and that it was well understood that they lived there by treaty right, and there was no objection to their securing lots and building houses and chapels. We replied that if the

the arrest and punishment
of these persons had really
no connection with our coun-
trymen we of course had no
wish to interfere. But the
circumstances were such as
to make it very difficult
for us to see how the matter
did not really and seriously
concern them, since proceed-
-ings of this kind were calcu-
-lated to disquiet and alarm
them; and if persisted in
must sooner or later end
in driving them away.
The Magistrate repeated the
statement that the arrest
and punishment of these men
had no connection with for-
-eigners. We replied that it
was commonly reported and
commonly believed that their
arrest and punishment was
for having sold or aided in
selling lots to foreigners, if

If

If this report was incorrect, it might serve to relieve our misapprehension and quiet the minds of our countrymen if he would kindly inform us what was really their crime. He replied Puh yan pun fun (分本按不); an expression which means, not quietly performing their duty, or a want of good conduct. As we did not seem satisfied with this vague answer, he said something about their having made irregular transfers of land. When pressed to state wherein these transfers were irregular, he seemed embarrassed and said that they had demanded exhorbitant prices, which was contrary to the treaties. We replied that so long as the buyer was satisfied, and there was no complaints made of unreasonable

demands,

demands, it would seem extra-
-judicial to institute proceedings
against them. The ground
was then taken that these
transfers of the lands spoken
of as irregular had been made
to natives and not to the for-
-eigners; hence they concerned
native and not foreign officials.

It is necessary to remark
here, that it has been a common
custom of the missionaries at
Hangchow in securing places
to have the deed of conveyance
made out not in their own
name, but in the name of
some friendly native. And
this course, I believe, has been
recommended to the English
missionaries by Mr Wade, through
the British Consul at Ningpo.
No official advice, I believe,
has been given to our missionaries
on the subject. But it has
been always my opinion that

the

the lease or deed of conveyance should be made to the person who really owns the property. This is a straightforward way of doing things, and one less liable to objection in many ways; and I have given this advice in a friendly way when my advice has been asked. Had the transfers of property in Hangchow been made direct to foreigners, it is my opinion that the present difficulty would not have occurred; and if it had occurred it could have been more easily met.

We tried to explain as well as we could, that these transfers had been made in this way for purposes of convenience; but it was known to all parties, and to the native officials, that foreigners were the real owners of the property which they occupied, though held in the name of natives; and

and that it was the common opinion that the arrest and punishment of the persons referred to, was for conveying property to foreigners, or for conveying it to natives to be used by foreigners, which amounted to the same thing. We thought therefore that, as they acknowledged the right of the missionaries to reside in Hangchow, and to ~~[illegible]~~ rent, purchase, or build houses, these men should be released; and that a Proclamation, already asked for by the missionaries, and promised by the Magistrate, should be issued, calculated to quiet the present excitement. After a long and tedious discussion the Magistrate, seeing that we fully understood the matter, and that we were not satisfied with his explanations, leaned over the table, (for we were now at tiffin) and, speaking in a whisper

whisper, apparently so as not to be heard by his attendants, said that, though the matter did not really concern foreigners, yet as we had made a friendly request, as a matter of friendship he would grant it, so far as to issue a proclamation, and in a day or two. (literally, tomorrow or next day) he would find some excuse to release the men. The proclamation he said he had already prepared, and an attendant brought and showed it to us. There was nothing objectionable in the proclamation, yet it seemed to us too vague to answer the purpose. We suggested this to the Magistrate. He said he had at first prepared a fuller form, but he had finally chosen this. He showed us his first draft. We liked the form of that better, but still

(asked)

asked permission to suggest two or three alterations. He readily gave permission, and adopted our alterations. compared
It was now late and we left to make our call on the other Magistrate, who has jurisdiction over the Tsien T'hang (塘錢) district. This Magistrate took the same position that had been taken by the others. But it was not necessary to go into the matter so fully with him, as he said he would do whatever his colleague did; as in all such matters they acted together. We had now obtained in promise all that we could expect, reasonably. The want of sincerity which these officials had manifested did not of course afford us the strongest guarantee for their fidelity. However, in their promises they seemed to be sincere; and we

we left them in the hope that their promise would be fulfilled). Still we chose to remain in the place a few days longer and see.

Our interview with the Magistrates occurred on Thursday the 12th. On Saturday the 14th we sent our Chinese writers with our cards to request an interview with the Magistrates, and ascertain what, if anything, had been done in the matter. They had an interview with the principal magistrate who told them that nothing could be done until the Consuls had returned home. This was a new issue, and one not at all calculated to assure us. Our writers also reported that the Magistrate had told them that the cause of the present movement was the

foreign

foreign houses built on the hill
over against the Fantais ( )
Yamen. The Fantai had
lately lost a son and a wife;
and on consulting with the
geomancers they told him
that the fung shuey had been
disturbed by said houses.
The Fantai complained of the
matter to the Footai, (Governor)
who gave orders to the District
Magistrates to arrest and
punish all who had been
engaged in the transfer of
lands to foreigners. He said
they had replied that they
could not arrest those who
had acted as agents for foreign-
-ers as they were Christians;
but they could arrest the
sellers and the middle men
employed by the sellers. And
this was what had been under-
-taken. The Magistrate however
requested our writers not to
mention

mention this circumstance to the Consuls. Our writers replied that the Consuls were fully aware of all this before they left Singapore.

After this report made to us by our writers we determined to have another interview ourselves with the Magistrates. So we sent in our Cards saying we would be glad to see them either at their place or ours on the next day. They returned us word that they had engagements for the next day, but they would call on us at our place the day after at nine o'clock in the morning. So we were obliged to remain and await their convenience.

At the hour appointed we were in attendance. They came an hour late, and, as we soon discovered, in no mood to

to facilitate our work. They said they had promised us to release the men. They would do so in five days after we left for home; they could not release them so long as we remained. We reminded them of their promises made to us five days before. They said that at that time they supposed we were going to leave, and what they said then was the language of friendly parting. We tried to impress upon them the idea that promises among officials ought to be held sacred. There was now much talk on both sides but with very little progress towards any agreement. They maintained, as they had on the former occasion, that the matter had no connection with foreigners, flatly denying what they had stated to our writers.

We

We maintained that it had a very important and very serious connection with them, as was evident from the present excitement. At any rate the excitement existed and we saw no way to allay it and prevent future disturbance but to release the men as they had at first promised, who, according to the confession made to our writers were suffering for having done only what was admitted they had a right to do. At last Yaou the principal of the two Magistrates, lost his temper, and declared that they would not release the men while we remained, if we remained a month or a year; at the same time rudely starting up to leave the hall. He was reminded that we were officers discussing serious matters, and it was

important

important that we should preserve calmness and decorum. He at once became more calm and courteous. He then said, speaking in a whisper, to avoid being overheard by attendants and others crowding about, that they could not release the men while we remained, as it would injure their influence with the people, but if we would leave, the men should be released in three days. We did not feel quite satisfied with this arrangement. They had not fulfilled their first promises; what guarantee had we that they would fulfil this! However there seemed nothing else to do, unless we brought the matter before the Tootan, and that, under the circumstances seemed to us more likely to hinder than facilitate our object. We

Concluded

concluded therefore to leave for home, hoping that what was promised would, though perhaps somewhat tardily, be fulfilled:

We left immediately for Singho and reached here on the 19th.

I enclose herewith copies of the letters above referred to, calling our attention to the state of things at Hainan previous to our leaving for that place.

I have the honor to be
Sir
Your obedient Servant
(Sgd) Edward C Lord
U.S. Consul

With 6 Enclosures

Enclosure N° 3
Dispatch N° 202

Hangchow 3rd Sept 1872

E C Lord Esq
U S Consul
Ningpo

Sir,

We the undersigned missionaries of the Presbyterian Church (South) in the United States would respectfully beg leave to ask your attention to some facts which have just occurred in this city, which we deem of interest to ourselves as to other foreign residents here.

The main substance of the facts of which we speak is that ~~concerning~~ proceedings have been instituted by the Chinese officials in this city against natives who have been concerned in disposing of landed property to foreigners. On Sunday the 1st instant, according to native accounts, a warrant was issued, at the instigation of the Taotai

for

for the arrest of eight persons who had at one time been engaged in transactions of this kind with foreigners. Of these eight, four are known to have been apprehended, viz, three men who were engaged about six months since in conveying a piece of land to the Mission with which we are connected, and one man who sold land about three years since to the American Baptist Mission. The remaining men, whose names are said to have been on the warrant, were concerned at different times in disposing of property to the other Missions, American and English, which are represented in this city. Of the three men who were engaged in conveying land to this Mission, no have had some personal acquaintance with two. One of these is a

master

Master Stone Mason named Ong, doing a good business here, and the other a physician named Be. Both of them are regarded by natives as very respectable men. They are not Christians. They are now confined in the prisons attached to the Yamêns of the Hsien. (District Magistrate) The Warrant ordering their arrest is said to have contained the statement that they were to be examined in regard to their being engaged in practices injurious to the people. The man Ong was decoyed from his house on a false pretext, and arrested in a neighboring tea-shop. He is said to be suffering at present from a severe attack of sickness and his family have sent to us a request to do all in our power to procure his release.

The immediate cause

of

of the present action of the officials is represented by the natives to be as follows:- The property held by the Mission of which we are members is situated on the side of ~~the~~ a hill facing the yamen of the Fantai (Treasurer). About a month since this official lost one of his children by death, and soon after his wife also died. On enquiring of the soothsayers as to the cause of his misfortunes, he was told that the fung shui had been disturbed by the foreign buildings opposite. Upon this, he issued orders for the arrest of all persons engaged in selling property on which foreign houses had been erected. We speak of this only as the immediate cause; for we suppose that none here doubt that the general cause is to be found in

in the old seated aversion of the upper clapes of the Chinese to the presence of foreigners, - an aversion which found ex- -pression here in the month of May last in the posting of a great number of handbills calling on the people to rise and punish any one found engaged in selling property to foreigners. A specimen of those was we believe, furnished you at the time of their appear- -ance. As to the demeanor of the people in general towards us, it has been everything we could have hoped for. Indeed, it has been a matter of comment among us within the past year how much the bearing of the people here towards for- -eigners has improved. Thus far there has not been the least sign of any disturbance coming from them.

We

We have deemed it proper to advise you of the facts above stated, both because they seem to be the beginning of a course of action against the foreign residents here which may be extended further, and because we have hoped that you might feel at liberty either now, or after further developements, to take some action looking to the relief of the unfortunate men, whose only crime seems to be that they gave help and comfort to the foreigner. These men have not yet been examined by the Magistrate, and it is not known, of course, what judgement will be taken against them. As regards the property which is said to have given offence to the present Fautai it may be proper to say that the larger portion of it was acquired by the Mission about three years ago, and that a foreign residence was built

on

on it just a year since.
Neither at the time the land was
acquired nor at the time the
house was built, was any
objection raised against our
course in the matter from any
quarter. In September of
last year the Hsien, in whose
jurisdiction we reside (Ch'un-
-tang-hsien) sent a request
that he might see the title deed
by which we held the property.
His request was complied with
at once, and a copy of the
deed was taken in the Yamen
in the presence of a member of
the Mission. Since then we
have heard nothing in regard
to the matter. On another
occasion just before this, when
our place was disturbed by
some soldiers, who climbed over
the wall of the compound in the
absence of the foreigners, the
Hsien sent a man from his

Yamen

Yamen without any request or
or representation from us, to assure
us that we would be protected from
annoyance on our property, ~~this~~ that
We mention these facts as showing
the recognition by the officials
here both directly, and indirectly,
of our claim to this property.
Indeed, no one here, as far as
we know, has ever questioned
our right in the matter, nor
are we aware of any intention
to raise such a question now.
We deem it prudent, however,
to inform you at present of
these facts, as it is not certain
that they may not have some
bearing on our case here in
the future. We will endeavor
to keep you advised as any-
thing of further interest may
be developed.

Begging leave to offer
your assurances of our very
high esteem we remain,

Very

Very respectfully
(Your obedient Servants
(Signed) M H Houston
Ben Helm

P S

Since writing the above we have received from Rev^d G E Moule a copy of the order of arrest which is herewith enclosed. It will be seen that there are ten names included instead of Eight. Those marked O have already been arrested; the others are said to be absent from the City or in concealment. Mr Moule states that the list includes the former owners of all the property now held by foreigners in the Hsien (District) in which he lives, embracing the property held by the American Baptist Mission, American Presbyterian Mission (North), and the English Church Mission.

We beg leave to enclose with

with this a note from Mr Moule which he has requested might be forwarded with this.

Note.

The copy of the order of arrest being little more than the names of the accused. it is not sent to the Dept

F. F. L

Enclosure N° 4
Despatch N° 202

Hangchow 3rd Sept 1873.

E C Lord Esq
H B M Consul, Ningpo

My dear Sir.

Last evening I met, informally, all the American missionaries at present in Hangchow to confer on the recent action of the Mandarins, of which you will no doubt receive detailed accounts from Mr Houston and others, in suddenly arresting certain Chinese who have been engaged in selling or mortgaging* land to foreign missionaries.

We are unanimous in thinking the case a most serious one; and although it is possible that one single Mission has, inadvertently, specially excited the hostility of the Mandarins, the arrests which have either been made or threatened include persons who have sold property to all or nearly

* Mr Lord thinks "leasing" would be a better word to convey the idea intended to be conveyed. F. L.

nearly all of the others.

For our own (the C M S) Mission I propose to make a representation to the British Consul as soon as I have explicit information of the actual amount of persons who have sold property to us. Meantime, as it is thought desirable that you should be assured of our unanimity in viewing the present emergency as critical for us all, I have asked Mr Houston to be good enough to enclose these few lines with his communication to you. I am, my dear Sir,

Yours very truly

(Sgd) George E Moule

C. M. S.

P.S. The only Mission in connection with which I hear of proscriptions is Mr McCarthy's. I believe he has purchased no property.

Enclosure N° 5
Despatch N° 202

Hangchow Sept 4. 1872

E. C. Lord Esq
U S Consul, Ningpo.

Sir;

I suppose you have already received letters from the Southern Presbyterian missionaries in regard to the arrest of certain natives concerned in selling property to foreigners. I write you today to add my testimony and to beg you to take such measures as the case may in your judgment require. × × × × × × × There seems to be no doubt but that it is another attempt to at least hinder all further selling of property to foreigners, and may be the entering wedge to the persecution of all natives who have any connection with us, and thus to make it so bitter that we shall be compelled to leave.

The natives are a good

good deal excited, and the rumors are said to be bad outside. It seems a threatening matter. I ask you to do what you can.

I remain
Your obt servant
(Sgd) D. A. Lyon

Enclosure N° 6
Despatch N° 202

Hangchow Sept 7. 1872

E.C. Lord Esq
W.S. Consul, Ningpo

Sir,

I write to inform you further in regard to the difficulties mentioned in my former. Fearing lest longer delay might increase the troubles, after consulting with the other foreigners we went together to the Yamens of the Tseen-tang and Hien-hoquens, and though denied admittance, succeeded in presenting a memorial, a copy of which I herewith forward for your inspection. An answer is due to-day at 3 P.M. which we hope will be favorable, though we cannot tell.

Two of the middle ones of the Kwoon-Mi-Sae property* Are

* This is the property of the Presbyterian Mission (South) situated on the side of the hill.
E.C. Lord

are now wearing the cangue
at the Yamen gate. Three friends
report that they were beaten with
one thousand stripes. On the
Cangue are written the four
characters, 分本按不. They
say they were asked three questions.
"What is your name"? "Did you
"act as middle men in selling
"property to foreigners"? Reply,
Yes. "Didn't you know it was
"against Imperial law"? Answer,
No. "Then we will make you
"know it".

The landlord of the old
Bi's property whose name is
吳壽伯 is still in prison.
His friends have been to us for help.

This a very great
misfortune as we all think
that the affair has gone so far,
as it not only affects Haugchow
but all the inland cities of
the province.

I speak the mind
and

and desire of all American citizens here when I again earnestly beg you to make the strongest possible representation of the matter to the proper authorities. Meanwhile we wait the reply of the local magistrates with no little anxiety, of which I will inform you.

I remain
Sir
Your obt Servant
(Sgd) D. N. Lyon

Note

The copy of the Missionaries petition or memorial to the Magistrates is in Chinese and I have not time to have a translation made.

F F L

Enclosure N° 7
Dispatch N° 202

Hangchow Sept 9. 1872

E. C. Lord Esq
H.B.M. Consul Ningpo

Sir,

Doubtless you have been fully informed respecting the troubles in which the natives who were instrumental in securing property for the foreign residents at Hangchow, have been involved by the tyrannical action of the native officials. If it may not be too late to express my views, I would briefly state what seems to me to be the true issues.

As we generally hear and believe, the officials have since last winter desired to have some action taken because of the foreign houses built here. But until the 1st of September nothing of importance transpired, and we only knew of the state

of

of feeling among them by rumor from natives. Of the anonymous placard posted all over Hangchow in one night last Spring, you have also been informed, I believe. We did much believe it was done by any official, and hence took no notice of it. But the present action appears in a different aspect. You know of the arrest and beating of the two middle men concerned in the securing of our two places. One ~~was~~ of these places was secured for 60 years, using in the transfer the character 賃 (I think this is the character) which Mr Inglee told us you had suggested to him as the most appropriate. We have held undisturbed possession now over two years, and no objection was made to our securing it, or since as

as to our possessing as far as any public or official act is concerned. The other piece we secured last winter, and no open opposition was made. We only heard that other parties were trying to purchase it to secure the erection of a temple. I do not mean by these statements to say that the treaty gives us an explicit right to buy and build, but while there is nothing as far as I know prohibiting it, neither we nor the natives violated any law of the land, or even acted in the face of any official proclamation.

I observe the treaty guarantees us liberty to be in the interior for twelve months, and to preach the gospel. And to stay here with comfort and safety other than native houses are necessary.

Amen

Hence we have built. The
piece of property acquired last
winter was bought in the name
of a native Christian woman,
and hence the middle man
did not act for foreigners in
the strict and literal sense.
But he was the middle man
in securing the other piece
and was beaten for this as
well. Their sufferings are
very great. One of the men
is over 60 years of age, is an
opium smoker, (although a mason
by do stone mason) and his
constitution is feeble. He swooned
away under the beating. The
Cangue was put on for
three months; and the natives
say he cannot survive the
treatment, for he is furthermore
sick.

Since we last wrote you
all the parties in the securing
of Mr Lyons property, have

as

as far as possible, been arrested.

We heard this morning that while the officials promised on last Saturday to issue the proclamation we asked (and I do not think it at all covered the grounds of the case) they proceeded to get further extremities and put the Cangue on Be-Kiu-Sang, who sold the land I am now on to the native Christian woman. His head is all swollen up from the treatment. When the Cangue was put on the official said he would "do it to the death", and sealed it himself. This we learned by our brick mason Li, who has acted for us also in securing the above mentioned land. He learned it from Be-Kiu-Sangs family. He is thick up in the Yamen, and

can

can not be seen; but a re-
-lation of his who is in the
official quarters told his family.
Be-Sun-Sang is a scholar, and
our teachers think it cannot
be true as he would have first
to be degraded. But the news
comes from his own family,
and I give it as probably true.
The whole cause of the ac-
-tion is outside of the land,
and the people, we learn, sym-
-pathize with the oppressed.
I am no alarmist, and I
do not expect any immediate
overt act against our persons
or property. But it seems
to me that until stopped
we cannot expect either to
again find any one willing
to assist us in securing
any property, or to remain
long in undisturbed posses-
-ion of what we have. The
object seems to be, eventually

to

to get me out, and if out of Hangchow why not every other inland city.

Besides, humanity calls on us to do all we can to secure the release and redress the wrongs of the poor innocent men who ~~have~~ are suffering for us, inso far as it is possible. Therefore the case seems to me one of general importance and of some urgency.

Hoping you will pardon me for trespassing so much upon your time I beg to subscribe myself

Respectfully Yours.
(Sgd) Ben Hebert

P.S.

The reason we have not written oftener is because we heard that Mr Lyon wrote daily

B. H.

Enclosure No 8
Despatch No 202

Hangchow Sept 9. 1872

E. C. Lord Esq
H B M Consul, Ningpo

Sir,

I write to inform you of the arrest of the landlords of the Fong-loh-kyao property* and the son of one of the middle men

In answer to our petition the Magistrates both promised to issue proclamations to be posted in our several chapels schools and hospitals. But while on the one hand with all due politeness they grant what we ask, on the other hands they continue to persecute the landlords and middle-men. I know if we put them to the point they will say, we are not punishing these men because of their

---

* This is the property occupied as the residence of Mr Lyon.

E. C. L.

their connection with you, but for other offences. But how could it happen that just the persons who were concerned in renting or leasing our property, should all become transgressors at once. Then there is the testimony of the men who have been punished, that they were tried for assisting foreigners in getting property, no other charge being made. Then there is public opinion which is unanimous in ascribing it to their connection with us.

It is ~~not~~ the most complete piece of underhanded management that I have known in China. 1st These people are arrested on an anonymous charge. 2e They arest only, either the landlords or the middle men on the landlords side. The middle men on our side who are either native Christians

or

or personal teachers have thus far all escaped. I The heavy punishments all fall on those connected with the "hill" property.

Mr Houston has just been in to say that a man by the name of 裴, landlord of the property on which their school stands, a physician and Lun-dzai, was yesterday put under a very heavy Cangue sealed by by the Magistrate, who said he should wear it till he died.

We are thinking of going before the Footai (Governor) and stating that it is known all over the city that these people are suffering on account of the connection with disposing of property to us; that if they did wrong we are also identified with them in the wrong, and ask their immediate release.

Could

Would you come up and help us through this difficulty? Meanwhile we must do what we can for ourselves.

The whole affair seems to have two ends in view:— 1st, If possible to arouse such a hatred for foreigners as will make it impossible for us to remain here, or, if that cannot be done: 2d frighten people from having anything to do with us.

Your obt servant
(Rgd) D. A. Lyon

Enclosure № 9
Dispatch № 202

No 36

United States Consulate
Ningpo Sept 30 1872

Sir:-

My last letter to you, dated the 21st instant, with its several enclosures, gave you an account of the matters at Hangchow so far as known to me at that date. Since then several letters have come to hand from our friends there; and I have written one or two in reply. I now forward you copies of these, from which you will learn what has been done; and what is the present state of things there so far as is known to me at the present time.

I have only to express my regret that the Chinese officials there have done so little of what they

Hon Frederick F. Low.
U.S. Minister, Peking.

they promised to do, and that that little has been done in such bad faith. They are evidently personally hostile to foreigners, and are willing to do all they dare to incommode and em-
-barrass them. They regard missionaries as living there by treaty rights, otherwise I am sure it would not be possible for the missionaries to live there. With their un-
-derstanding of the treaties they are unquestionably treaty breakers. It is not for me to say whether missionaries are to be protected away from the treaty Ports. But if they are it seems to me that the recent and present conduct of the officials at Hangchow should be made the subject of very serious con-
-sideration at Peking; while if they are not to be protected they should be so informed.

But

But whatever views may be taken of this matter there can be no question but that the officials with whom we had intercourse in this matter were singularly wanting in that fairness which we showed them, and which we had a right to expect from them.

I beg to enclose herewith copies of six letters received from friends in Haugchow, and two copies of letters written to them in reply.

I have the honor to be,
Sir,
Your obedient servant
(Sgd) Edward B. Lord

Enclosure N° 10
Despatch N° 202

Hang Chow Sept 17. 1872

E. C. Lord Esq
U. S. Consul Ningpo.

My dear Sir;

I have just received a note from Mr. Moule in which he states that as you were about to leave for Ningpo you used an expression which seemed to show that you had not fully understood the position which the Mission, of which I am a member, holds here on the "Chiig hwang hill". Your remark was that you supposed the hill was a kind of sacred place reserved for temples and so forth. Mr. Moule tells me he assured you that it was not exclusively so, and that in particular, he believed that the house of this Mission stood on the site of an old family house which had been surrounded formerly on every side by residences.

residences. Mr. Moule thought however that it would be well for me to write to you and give you an explicit statement on this point. I would beg leave therefore to say to you that Mr. Moule was correct in his opinion. The property which we hold on the hill is what is known here as the "people's land, and as far as we know no temple or other public building ever stood on it.

At the time the city was sacked by the Taipings, the whole face of the hill on which our Mission buildings now stand, was occupied by private residences.

Our foreign residence now stands on the site of the former residence of a family named Yang and our ground as well as the ground on every side of us, was never supposed by the natives at any time to have a sacred character. As far then as

as the mere effect of a private residence on the "fêng shui" is concerned, those mysterious influences have been liable to disturbance from this cause as far back as the history of the city extends, and we violated no precedent in erecting dwellings here.

Renewing my thanks for the patience and resolution with which you attended to our interests while you were here,

I am, very respectfully,
Your obt. servant
(Signed) W. H. Houston

Enclosure No 11
Despatch N° 202

Hang Chow. Sept 19. 1872

C. C. Lord Esq.
U. S. Consul, Ningpo.

Dear Sir:-

I herewith enclose a copy of the proclamation which came to our several Chapels and schools to day A. M. Up to 11 o'clock this forenoon none of the prisoners had been released and the two men still wore the "Cangue" at the Ya mien gate.

Whether the proclamation is what you agreed should be issued or not, of course you are the proper one to decide, as we had not the opportunity of knowing of that matter. I may say however that the natives connected with us all regard it as very good, and if only the poor men who are suffering were set at liberty, we should all rejoice that a fair settlement of the difficulty had been made, and until that is done we must still ful anxious.

We

We have had our chapels open for preaching both yesterday and to day and experienced no disturbance. I hope I may be able to add a postscript to-morrow forenoon stating that the men are released, but for the present have no more facts to communicate than what I have already mentioned.

I am, Sir

Your obedient servant

Signed. C. M. H. Lyon

P. S. Sept. 20th

I have no more encouraging news to communicate. One of the prisoners A-zie-peh has sent a note to our native pastor asking him to come and visit him at the prison. I believe he and another native expect to go this forenoon.

Enclosure No 12
Despatch No 202

Hang Chow Sept 20. 1872

E. C. Lord Esq.
U. S. Consul Ningpo.

Sir:-

According to the request you made when leaving I write to say that yesterday the proclamations were issued. Copies were stuck up at the door of our street chapel and at Mr. Houstons. None were posted at my place. I suppose it was because the property on the hill was all one. There may be other reasons. We knew nothing about it till we saw it on the wall. At all the other missions they were taken in and given to the missionaries. I know of no cause for the difference, and it may be of no consequence.

Up to yesterday noon, I know certainly that the men had not been released. If they had since been released, I should almost

certainly

certainly have known it. Be sien sen who sold us the lot I occupy was up this morning to say that the officials still demanded that he should redeem this place. He said he did not wish to do it and admitted that he could not do it as we had expended over $140 on it.

Mr. Houston proposed to him on our part that if he were willing we would make out new papers. Instead of buying in the natives name, we would "tien" in our own name say for 60 or 80 years, destroying the deed of purchase and send in this paper for the official seal.

If he agrees to this, we may do it.

Should you reply, please let me have your advice.

Since these troubles, we hear the "Giang Kwe ts" more than ever, but otherwise there is little change in the people.

Respectfully Yours

(Signed) Ben. Helm

Enclosure No 13
Despatch N° 202

Hang Chow Sept 21. 1872

E. C. Lord Esq
U. S. Consul Ningpo.

Dear Sir—

I write to inform you of the result of Tsiang and Yi's [the natives referred to in his previous letter] visit to the prisoners.

They saw but one of the prisoners A-zeo-pih, who was confined in the "pan vong" with five other prisoners. A-zeo pih told them that the official sent word to him yesterday forenoon that if he could produce bail he might now be set at liberty. The same offer was said to have been made to Kwang-zuy-seng the land lord of my property. It is evidently the policy of the officials to come off with "flying colors" and to avoid every possible appearance of having in the least yielded to the pressure from the Consuls.

I

I think that if the men have still to give bail for their good conduct, then we have gained nothing by negotiation.

I suppose Mr. Houston has already informed you of the way the proclamations were posted on the wall outside his gate and the important parts mutilated the same night. In the Jiu-hsi district the proclamations were all brought to us and left with us to post in our chapels. In this way the issuing of the proclamations is a mere nominal compliance of the officials with your request, while in the eye of the people the consuls have been sent home in disgrace.

Then there seems to be a general understanding between officials and people so that I am quite sure should any disturbance occur the disturbers would be rewarded instead of punished.

2

It is apparent to the people that the officials are displeased with our presence here, and this emboldens them to do what they would not dare to do under other circumstances.

I have nothing further at present to suggest but trust you may have the blessing and guidance of God in your action in regard to the affair.

Yours very truly

(Signed) H. A. Lyon.

Enclosure No 14
Dispatch No 202

Hang Chow Sept 23. 1872

E. C. Lord Esq
U. S. Consul, Ningpo

Dear Sir:-

I understand that the Ulzen he fiew yesterday set free all the men he had under arrest. Those in the Ulzen dang fiew have not yet been set free. It was rumored that Ong-s son was to be let out on bail, but as yet he is still in "durance vile". Mr. Houston and I sent a note to the Yamun to inquire why no proclamation had been sent us. (None was brought in, and none even posted at my place which they dislike). They replied they had none they had been already sent to Kwin mi san. I suppose it is of no importance, but all think the not posting a proclamation at my place is intentional.

Respectfully Yours

(Signed) Ben. Helm

Enclosure No 15
Dispatch No 202

Hang Chow Sept 24. 1872

E. C. Lord Esq.
U. S. Consul, Ningpo.

Dear Sir:-

I herewith notify you that the Jin Ho Magistrate has released the prisoners on their having procured bail, but under very humiliating conditions. As prerequisite to release they were all required to sign a promissory note a copy of which I send you, the price of freedom varying in different cases. The same note was required of the men who went security for them. The copy I send you was given in from memory by the landlord of Mr. Gallo's property. He says the official said to him in substance as follows: "On "these condition I let you off "for the present offence, but if ever "you have anything more to do "with foreigners, I will cut your

head

"head off."

To day A. Zeo Peh comes to us and reports that he was required to sign a promise to pay in 400.00 cash by the end of the 10th month. He reports that Kwan Guy Sing landlord of my property is also released, and required to pay the round sum of $500. They were all subjected to the same terms and the same threat, differing only in the amount to be paid.

The Kwun Mi San men are still I understand wearing the cangue. According to the promise made to you they should have been unconditionally released on last Thursday five days ago. While in fact those of the Jin Ho district were released only Yesterday and that after being compelled to make the above most humiliating promise and receiving the threat of decapitation if ever found engaged

engaged in dealings with foreigners. Words cannot express the monstrosity of such measures.

As to the treatment of the poor men in the Hsien Hang district, and the contempt shown to the foreigners on the hill, I suppose Mr. Helm or Houston will keep you posted.

I hope you may be able to bring some influence from Peking or from some other source to bear upon these Hang Chow Mandarins, which will teach them that Consuls representing two great nationalities may not be snubbed with impunity, and that the underhanded violation of acknowledged treaty rights, especially by such British treatment of innocent men, cannot go unpunished. I remain

Your obedient servant

(Signed) H. N. Lyon

Enclosure No 16
Despatch No 202

United States Consulate
Ningpo. Sept. 27. 1872

Rev. Ben. Helm.
Hang Chow.

Sir:—

I have to acknowledge the receipt of your communications, dated the 20th and 23rd instant also of Mr. Houston's note of the 17th.

The matter you mention about the proclamation I should not be inclined to think of much importance. It may have happened from your proclamations being sent from one office, and the others from the other. Or it may have been a mere difference in the way of doing things by the different runners. I am sorry not to hear of the release of the men in your district. I think they will be released though tardily and perhaps not without much

apparent

apparent injustice. I much regret that I am not able to prevent this.

The matter of changing the title deed of your lot, you must decide for yourselves. It has always been my opinion that property owned by foreigners should be held in their own name. But the British Minister seems to have a different opinion, and possibly our Minister may have also. So at present I should not like to give you any positive advice.

Hoping soon to hear of the release of all the men suffering on account of their connection with the sale of lands to foreigners, I remain

Sir,

Your obedient servant

(Signed) Edward C. Lord

U. S. Consul

Enclosure No 17
Despatch No 202

United States Consulate
Ningpo Sept 27. 1872

Rev. W. N. Lyon
Hang Chow-

Sir:-

I beg to acknowledge the receipt of your several communications dated the 19th, 20th and 24th instant. I am glad to hear that the Proclamation has been issued, and that any of the men have been released, though sorry that their release should be coupled with extortionate demands for money. This, however, you must know is no new thing in China. It always, or nearly always happens, when for any cause just or unjust persons who have money or friends fall into the hands of Mandarins.

I shall of course lay the matter you mention, with all others of the case before our Minister at

at Peking. But I have little hope that anything will or can be done to remedy the evil of which you complain. It might be difficult to set wrongs of this kind right even at the open ports; to do it in the interior, where the right of foreigners to reside at all, will at present not be insisted, I presume, by the English and American Governments would be doubly difficult. You must not lose sight of the fact that your residence in Kiang Chow is at present but a precarious one. While you are there I shall do what I can to protect you from violence and wrong.

But you must know that Consuls are not armed with power to do always what they think ought to be done. And they always find it especially difficult to protect natives even when suffering on our account.

2t

It is easy enough to quote the Treaty on this point; but then we are always met with the plea that the matter has no connection with foreigners. This of course would be the plea in the present case.

I am, Sir,

Your obedient servant

(Signed) Edward C. Lord

U. S. Consul

Ent

Note as per Memo Dec 28

Mr Berdan

Confd

Decd 20 Dec

No 203 5 Enclosures

Legation of the United States
Peking, October 26, 1872
Frederick F. Low
to
Department of State

DEPARTMENT RECEIVED DEC 28 1872 OF STATE.

FOREIGN DESPATCHES 73

Subject.

The majority of the Emperor and the Audience question.

Encloses correspondence between himself and Prince Kung with respect to the Imperial Marriage, and translations of the Edicts in which it is officially announced that

that the Regency will be set aside in February 1873:- Thinks that a united demand for audience will not be refused; looks upon the question as one of great importances, and suggests that the United States join with the other Powers in making the demand, after the Emperor has attained his majority. He also requests that special instructions may be sent.

No 203 5 Enclosures

Legation of the United States
Peking, October 26. 1872

Sir:-

I have the honor to enclose translation of a despatch from Prince Kung, announcing officially that the Emperor was married on the 16th instant, and a copy of my reply thereto.

A similar announcement has been made to each of the other Legations.

I

Hon Hamilton Fish
Secretary of State

It is not unlikely that what was said at the interview a few days since, when the Ministers called to give verbal notice of the same fact, induced the Prince to send a more formal notification.

I also beg to send herewith translations of two important Edicts, from which it will be seen that the Regency will be set aside and the Emperor assume the duties of actual Sovereign in the first month of the Chinese new year*, on a day to be hereafter fixed.

2 & 3

The

* The Chinese first month of the new year commences January 29th and ends February 26th, 1873, according to our calendar.

The day before these Edicts appeared the Official Gazette contained one laudatory of Prince Kung, and conferring upon him and his family additional titles and honors.

This, in addition to many other acts recently, points with reasonable certainty to the fact that the Prince and his party will continue to be the ruling power in the Government when the Emperor assumes the functions of sovereign de facto; nor is it likely that there will be any material change in the personnel of the Foreign Office.

If this should prove true

the

the concessions which most, if not all, foreign Governments will demand, are not likely to be resisted strenuously. Chief among the questions that will require to be definitely settled is that of granting by the Emperor personal audience to the representatives of foreign Governments in a suitable manner. This all European Governments will undoubtedly insist on as soon as the Imperial majority is declared. In the absence of instructions to the contrary it is perhaps not unreasonable to suppose that the United States will

will unite in this demand.

It seems to be foreshadowed in the note from the Secretary of State to the Chinese Embassy under date of June 3. 1868. (See Dip Cor 1868. Part 1 p 603.) I would however prefer to have definite instructions on the subject for my guidance. To that end I am sending by this mail to the Collector of the port of San Francisco the draft of a telegram to be sent by him to the Department.

A copy of my note to the Collector is herewith enclosed.

That an improvement in the <u>status</u> of the foreign

Ministers

Ministers, vis a vis this Govern-
-ment, is specially to be desired,
will not be questioned. If
evidence of this fact were
needed the action of the
Government in connection
with the recent Marriage
ceremonial furnishes it. The
representatives of the Western
Powers were treated in a manner
which, to say the least, was
discourteous, while those from
the Tributary States were invited
and took part in the ceremony;-
all foreigners were rigorously
excluded from the streets and
places through which the
procession passed, while natives

of

of all grades above the lowest official rank, were freely admitted to the Imperial Grounds to view the pageant, notwithstanding although I was informed, in the most positive and solemn manner, by the Ministers who came to see me upon this subject, that natives of all grades and ranks would be excluded the same as foreigners. Were it not for the fact that all this has a mischievous influence upon the mass of the people these incidents would not be worth noticing, much less reporting to you.

In the Chinese view

the

the marriage of the Emperor is one of the most august ceremonials that can possibly occur, in which high officials should participate and to which all the common people should render homage. On the present occasion officials and people gathered here from all parts of the country; and what they saw and heard will be repeated in every place of importance in the Empire. And it is not unlikely that their impressions, gathered while in Peking, as to the position which the foreign Ministers occupy will be much less favorable

favorable than it is actually the case. It is in this view chiefly that I deem a change in our status important. It is hardly necessary for me to say that personal feelings or considerations do not enter into the question.

It may not be amiss for me to here repeat what I have heretofore written to the Department:— that in my opinion, if, after the Emperor becomes of age, a courteous but firm demand for audience be made by all the Treaty Powers represented here it will not be refused.

In

In view of the foregoing considerations, and taking into consideration the near approach of the Emperors majority, it seemed to me entirely proper and appropriate, when returning a reply to the Prince's dispatch, to convey an intimation that the Government of the United States might choose a more appropriate and dignified mode of presenting its felicitations, upon so important an event as the marriage of the Sovereign of a friendly Power, than sending a note of congratulation through the ordinary channels of diplomatic correspondence.

Trusting

Trusting that my views concerning these questions may prove to be in accord with those entertained by the Department, and that what has been done will be approved.

I have the honor to be

Sir,

Your Obedient Servant

Frederick F. Low

Enclosures.

1 Prince Kung to Mr Low Oct 19. 1872

2 Mr Low to Prince Kung Oct 24, 1872

3 Translation of Imperial Edict

4 Do Do Do Do

5 Mr Low to Collector of the Port of San Francisco Oct 26/72

Enclosure No 1
Despatch No 203

Peking 19th October 1872

Prince Kung &c &c

informs Your Excellency that the Board of Ceremonies have communicated to him the following decree reverentially received from His Majesty the Emperor:-

"We, having with pious veneration
"succeeded to the vast dominion
"founded by our ancestors, and
"enjoying in its fulness the
"glorious lot to which we have
"been destined, have chosen one
"virtuous and modest to be the
"mistress of our Imperial Home".

"Upon the 13th October 1872, we
"by patent instated Alute,
"daughter of Chung Chi a shi-
"chiang in the Han Lin College
"as Empress".

This from the Emperor.

In

His Ex. F. F. Low
Minister &c &c

In respectful obedience to His Majesty's will, the felicitous ret was celebrated on the 16th October, and as friendly Powers ought by right to be apprized of this, the Prince, besides addressing the other Representatives on the subject begs to submit the present communication for Your Excellencys perusal.

A necessary communication

Enclosure No 2
Despatch No 208

Legation of the United States
Peking October 24. 1872

Sir:-

I have had the honor to receive from Your Imperial Highness a communication in which is embodied an Imperial Edict as follows:-

"We, having with pious veneration
"succeeded to the vast dominion
"founded by our ancestors, and
"enjoying in its fulness, the
"glorious lot to which we have
"been destined, have chosen, one
"virtuous and modest to be the
"mistress of our Imperial Home."

"Upon the 13th October 1872 we
"by patent instated Alute
"daughter of Chung Chi a shi-
"Chiang in the Han Lin
"College as Empress.

"This from the Emperor."

And

To His Imperial Highness
Prince Kung

And that, in conformity with the decree quoted above, the marriage ceremony was duly performed on the 6th instant.

Your Imperial Highness further observes that it is proper and desirable that the information be communicated to all Governments in friendly relations with that of His Imperial Majesty, hence this announcement is made to the Minister of the United States.

In reply, permit me to express my thanks for the honor done me in sending this note; and I improve this occasion to tender my cordial congratulations upon the occurrence of this auspicious event which confers additional honor upon and augments the happiness of their Imperial Majesties. It will also insure permanence to the present dynasty in legitimate succession, secure to the Empire peace and tranquility, and to the Emperors subjects ~~prosperity~~ tranquility

This

This information will be communicated without loss of time to the Government of the United States, who will undoubtedly receive it with lively satisfaction.

Nor will I permit myself to doubt that my Government will improve the earliest convenient opportunity that may be presented, to tender to His Imperial Majesty its felicitations in a manner befitting the importance of the event and the dignity of the two Governments.

With renewed assurances of my high consideration

I have the honor to be

Your Imperial Highness

Obedient servant.

(Signed) Frederick F. Low

Enclosure N° 3
Dispatch No 200

From the Peking Gazette
October 22. 1872

Edict

We have respectfully received the following decree from the Empresses.

The country being in a very disturbed state when the Emperor at a tender age succeeded to the Throne, the Princes and other high officers of state were unable to perform their duties in the absence of any authority to direct them, therefore, We were reluctantly compelled to accede to their request, that, for the time being, we, the Empresses, should act as regents. We, at the same time announced that so soon as the Emperor should have completed his studies, the supreme authority would revert to him.

We have now for eleven years anxiously and incessantly striven to perform our duties without

allowing

allowing ourselves the slightest intermission.

The Emperor has by assiduous application to his studies made satisfactory progress, and having now reached the estate of manhood he should assume supreme control of the Government, and with the assistance of His Ministers in the Capital and Provinces, strive to maintain order and good government thereby fulfilling with pious veneration, the important trust committed to him by his illustrious ancestor the late Emperor, canonized as the "excellent and virtuous."

We therefore command the Astronomical Board to select an auspicious day in the first month of the coming year — (February 1873) on which the ceremonies of the Emperors accession to the Throne will be celebrated.

The members of the

Grand

Grand Council and the Grand Secretaries, together with the Presidents of the six Boards and the Nine Courts, will, with due care and respect make the necessary preparations for the ceremony, with a view to the restoration of the ancient form of Government.

Respect this!

Enclosure No 4
Dispatch No 203

From the Peking Gazette
October 22. 1872.

Edict.

We have respectfully received the following decree from the Empresses.

We have by a decree issued this day ordered the Astronomical Board to select an auspicious day in the first month of the coming year on which the ceremonies of the Emperors accession to the Throne are to be celebrated.

The great sacrifices performed at the various Altars and Temples being eminent and glorious, it devolves upon the Emperor to conduct them in person, thereby responding in every respect to the Heavenly claims and manifesting his devout and sincere feelings.

We therefore direct that, beginning with the great Sacrifice

to

to Heaven at the Winter solstice of this year the Emperor will thenceforward conduct in person the ceremonies to be performed at the various Altars and Temples.

Let the proper Boards make all the arrangements necessary for the occasion.

Respect this!

Enclosure No 5
Dispatch No 202

Legation of the United States
Peking China, Oct. 26. 1872

To The Collector
of the Port of San Francisco.

Please send, without
delay, by telegraph to the Secretary
of State, the following:—

"Peking, October 26th 1872

"Hon. Hamilton Fish"
"Secretary of State, Washington.

"It is officially announced
"that the Regency will be set aside
"in February next. My anticipations
"are likely to be realized. See my
"dispatches of March twenty
"second (22) and June fifth (5).
"If special instructions are
"deemed advisable, and they
"have not been sent, the mail
"leaving San Francisco January
"first (1) should bring them.
(Signed) Frederick F. Low
U. S. Minister.

Legation at Peking

Blank No. 1. 7 M 62 5 55 pm

THE WESTERN UNION TELEGRAPH COMPANY.

The rules of this Company require that all messages received for transmission, shall be written on the message blanks of the Company, under and subject to the conditions printed thereon, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, Gen'l Sup't, New York. | WILLIAM ORTON, Pres't, GEO. H. MUMFORD, Sec'y, } New York.

Dated San Francisco Calif 7 1872

Received at N. E. cor. 14th St. and Penna. Ave. 5.46 pm

To Hon Hamilton Fish

Secy of State Washn D.C.

I transmit the following by request of J. T. Low U.S. Minister to China

J B Shannon Collector Peking

October twenty 24th (26th) eighteen seventy two (1872)

It is officially announced that the regency will be set aside in February next. My anticipations are likely to be realized see my dispatches of March twenty Second and June fifth if special instructions are deemed advisable and they have not been sent the mail leaving San Francisco [illegible] Collector [illegible] Chinese [illegible]

145-

Ack Jan 27 Ask

Mr Brown

No 204



Legation of the United States
Peking November 4, 1872
Frederick F. Low
to
Department of State

Subject

Acknowledgement of the receipt of Department despatches numbered 97 and 98.

States that they have been received in due season.

No 204

Legation of the United States
Peking, November 4, 1872

Sir:-

I have the honor to acknowledge the receipt of Department despatches numbered 97 and 98:- the latter covering copy of a note from the Acting Secretary of the Treasury concerning transit and re-export regulations, and Drawbacks.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

DEPARTMENT OF STATE RECEIVED JAN 23 1873

Ack Jan 23 Ackd

Mr. Burlingame

copied

No 205 One Enclosure

Legation of the United States
Peking, November 6, 1872
Frederick F. Low,
to
Department of State

FOREIGN DESPATCHES '73

Subject

Assumption of authority by the Emperor of China.

Encloses translation of an Edict naming the 23d of February 1873 as the day for the formal transfer of authority from the Regency to the Emperor.

No 205 One Enclosure

Legation of the United States
Peking, November 6. 1872

Sir:-

Referring to my No 203 of 26th October I now beg to enclose translation of an Edict naming the 23d February 1873 as the day for the formal transfer of the Government of the Empire to the young Emperor.

So far as I am able to learn no intimation has

Hon Hamilton Fish
Secretary of State

has as yet been given to either of the foreign Legations as to the course the Emperor will pursue when he assumes personal authority.

I have nothing to add to what has been said in previous despatches concerning this subject.

I have the honor to be

Sir,

Your obedient servant

Frederick F. Low

Enclosure

No 1. Translation of an Imperial Edict which appears in the Peking Gazette November 2d/72

Enclosure No 1
Despatch No 205

From Peking Gazette Nov 2d 1872

Edict

We have received with reverence the following Edict from their Majesties the Empress Dowager and the Empress Mother:-

The Imperial Astronomical Board having reported that in obedience to Our command it had selected an auspicious day for the ceremonies of the Emperors accession to the personal administration of the Government, We accordingly Decree that the ceremonies in question take place on the 23d day of February 1873, and command the several Boards concerned to diligently make the necessary preparations.

Respect this.

Ack'd Jan 27

Ack'd 6 Feby

Mr Bordau.
&
Mr Wood.

No 206 One Enclosure



Legation of the United States
Peking November 8, 1872.

Frederick F. Low
to
Department of State

Subject

The appointment of a Vice Consul at Amoy.

States that the Vice Consul General has called attention to the irregularity of the proceeding, and encloses copy of his reply to Mr Bradford.

No 206 One Enclosure

Legation of the United States
Peking November 8. 1872

Sir:-

The Vice Consul-General has called my attention to the irregularity of Genl Le Gendre's proceedings in the appointment of a Vice Consul at Amoy and requested to know what information I had concerning it, and also whether the appointment of Mr Stevens had received my sanction.

The

Hon Hamilton Fish
Secretary of State

The Vice Consul-General's despatch to me was accompanied by a copy of his N° 574 to the Department.

He has been informed, in reply, that all the information I have about the matter in question is a brief despatch from Mr Le Gendre saying that Mr Stevens had been appointed Vice Consul; that the Consulate had been turned over to him, and that he (Le Gendre) was about starting for the United States. The Consul omitted to send me the Chinese name of Mr Stevens; hence it would be impossible

in

in any event for me to notify the Central Government of the change in the Consular offices without incurring the risk of complications growing out of the Vice Consul being known by one name in Peking and another in Amoy.

My advice to Mr Bradford, as to the course he should pursue, will be found in my despatch of the 4th instant, copy of which is herewith enclosed.

Not the least noticeable part of the proceeding is Mr Le Gendres letter to Edmund Roye, the former Vice Consul,

Copy

copy of which accompanied Mr Bradfords despatch to me; it has, I infer, been sent to the Department also.

It would seem from this letter that there were at least three reasons for making a change in the Vice Consulate.

1st Mr Pye is a British subject; and the American residents at Amoy desired the Consulate represented by one of their own countrymen;

2d Mr Pye having assumed, at Mr Le Gendre's request, the care of French interests, the latter feared those interests might possibly suffer if

the

the former continues to act for the United States; and &c Mr Pye was anxious to resign.

If I am correct in supposing that Mr Pye was desirous of retiring from the post of U.S. Vice Consul, and there was an American competent for, and willing to accept the position, the necessity of writing the letter before alluded to, or the sending of translations and copies to the local and provincial officials, the Legation and the Department, is not apparent.

I

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Enclosure

No 1 Mr Low to Mr Bradford
November 4. 1872

Enclosure No 1
Despatch No 206

Legation of the United States
Peking Nov. 4. 1872

Sir:-

Your despatch No. 309 of the 24th ultimo is received.

In reply I have to say that on the 2nd instant several despatches were received from the Consul at Amoy, the last being his No. 86, an extract from which is enclosed.

He also sent me copy of his despatch No. 170 of 7th May last, to the Dept, which is also sent herewith. These two papers contain all the information I have upon the subject.

Of the irregularity of the proceeding, there can be no question, and your action in calling the attention of the Hu Parliment to it, is, in every respect, proper.

Of Mr. Le Gendre's going away, and

A. B. Bradford Esq.
U. S. Vice Consul General.

and the appointment of a new Vice Consul, I know nothing, except what is to be learned from the enclosures herewith.

Mr. Stevens is, I presume a competent person for the place, and, unless you learn something to the contrary, it would be the wiser course to approve of the nomination.

To leave the Amoy Consulate vacant might cause serious inconvenience, and the approval by you of Mr. Stevens's appointment seems the only practical way out of the difficulty.

If you do so, and will send to Mr. Stevens and ascertain his (Chinese) name, I will report it to the Yamên, in order to avoid complications, pending reference of the matter to Washington.

I am, Sir,
Your obedient Servant
(Signed) Frederick F. Low

Acknowledge Mr Low's letter & state how the case is [illegible] of – Did so 6th Feby. Mr Bordon

Subject: The appointment of N. C. Stevens as vice consul at Amoy.

Bradford to Mr. No. 574 – October 24. 1872 Rec'd Dec'r. 7)

Mr. Bradford, vice consul general at Shanghai, encloses copies of two letters from Mr. LeSendre – consul at Amoy – one addressed to Edmund Pye on 8th October, 1872, accepting his resignation as vice-consul; the other addressed to Mr. Bradford, October 9th. 1872, saying that he had on that day nominated N. C. Stevens to be vice-consul. He asks that a copy of the letter to Mr. Pye may be sent to this Department, and states that he starts for America on that day, leaving Mr. Stevens in charge.

It appears by inference that Mr. Stevens is an American citizen, since LeSendre accepts Pye's resignation on the ground that he is not such.

Mr. Bradford comments on the supposed irregularity in the nomination in that the nomination of which Mr. LeSendre speaks was not sent through the consulate general. It appears however that LeSendre did not write.

write a despatch to the Department making the nomination (none has been received), but appears to have regarded his letter to Bradford as such a nomination. Mr. Bradford said he would send copies of the letters to Mr. Lost at Peking.

Hale to Mr. Pendre – No. 119 Dec. 19. 1872

On 19th December an instruction was addressed to Mr LeGendre (based on Mr Bradford's despatch) calling attention to the irregularity in the nomination in that he had not made it directly to the Department through the Consulate General.

It was thought best however to approve the nomination, in view of Mr LeGendre's absence, and accordingly the usual form of bond &c. &c. was sent. Mr. Bradford was so informed.

Bradford to Mr. Pendre – No. 583 Dec. 25. 1872 Rec'd. 10th Jany. 1873

In a subsequent despatch Mr. Bradford says that in view of the necessity of the case he approves Mr Stevens's nomination. He says however that he had never heard of Mr. Stevens before his nomination.

Respy. submitted

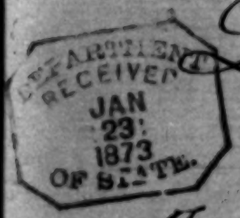
A. B. Wood.

30th Jany. 1873

Exh

I understand this to be dispatch of Feb 13. 1873
Ack
Mr Borden

No 207 Two Enclosures



Legation of the United States
Peking, November 11th, 1872

Frederick F Low

to

Department of State

Subject

The arrest and trial of Serrano at Swatow and Canton.

Gives a summary of Mr Consul Wingates report of his connection with the case, and encloses copies of a correspondence between Mr Wingate and Mr Sewell.

No 207 2 Enclosures

Legation of the United States
Peking, November 11th, 1872

Sir:-

I have received from Mr Consul Wingate of Swatow a long despatch with a large number of enclosures, with reference to the case of one Serrano, who was charged with being concerned with Wemouth in illicit Coolie operations. Upon this charge Serrano was arrested and

Hon Hamilton Fish
Secretary of State

and taken to Canton for trial.

Mr Wingate's despatch contains a full statement of the case and his connection therewith; and the enclosures are copies of a correspondence between him and the local officials at Swatow & the Viceroy at Canton, and letters that passed between the U.S. Consuls at Swatow and Canton concerning the same subject. These enclosures cover more than one hundred pages of manuscript, besides a number of despatches in Chinese.

Chinese which are not
accompanied by translations.
This is practically impossible,
with the clerical aid at my
command, to furnish the
Department with copies of
all these papers, which,
under other circumstances
I would be glad to do, in order
that a complete history of
this important case might
be placed on the files of the
Department. I therefore
shall content myself with
furnishing you with a
summary of these papers,
and enclosing copies of the
final letter of Mr Wingate
to

to Mr Consul Jewell and the latters reply.

In the early part of May 1872 Mr Consul Wingate arrested a naturalized United States citizen named Otto Wermouth for being concerned in a scheme for sending coolies abroad in the American ship "Congus", contrary to the provisions of the Act of February 19, 1862. Connected with Wermouth was a citizen of New Granada named Serrano, who, upon information furnished by Mr Wingate, was arrested by the Chinese authorities.

After

After Serrano's arrest the U.S. and British Consuls at Swatow were invited by the local officials to be present and take part in the hearing of the case. This request was complied with and a hearing had, which Mr. Wingate understood to be preliminary to a further trial, when the prisoner would be allowed to present evidence in his defense.

It should be stated here that, at the time of Serrano's arrest and examination he appealed to the U.S. Consul for protection under and by virtue

virtue of the Treaty between the United States and New Granada.

To this the Consul replied that, while he "would not shield him if guilty", he "would assist him to show it if innocent."

Subsequently the Consul suggested to the local authorities that a further hearing should be had, which was declined; and when the British Consul, who had assisted at the preliminary examination, was spoken to upon the subject, he replied that he considered the Consuls connection with the case ended with the first examination

examination. Mr Wingate not concurring in the view taken by his British colleague, applied to the Magistrate in writing for a further hearing of the case. The official replied saying that the whole matter having been reported to the Viceroy at Canton no further proceedings could be taken until orders were received from Canton. It was intimated at the same time that the prisoner would be sent to Canton for trial.

On the 8th July Mr Wingate received from the Viceroy a despatch requesting that the

Ship

ship "Congress", together with the persons implicated in the affair might be sent to Canton, in order that the whole matter might be investigated there. To this Mr Wingate replied on the 12th July saying, that so far as the ship and Mr Wermouth were concerned his jurisdiction as U.S. Consul was complete; that he had already tried Mr Wermouth, and should report the facts in regard to the ship to his Government. With reference to Serrano's case, he related what had transpired and said that under the

the circumstances, he considered a further hearing necessary, as an act of justice to the prisoner and for the vindication of the Consuls conduct, through whose instrumentality, chiefly, the man had been arrested. The Consul incautiously added that, "Since the trial "I have heard Serrano's "statements, which with other "evidence leads me to think "that he may be innocent. "I have asked that if he proves "himself not guilty he may "be discharged at once, as he "has already suffered more "than a months imprisonment."

On

On the 15th July Serrano made, before the Consul, a formal written protest, in which he asserts his innocence of the charges preferred against him, and demanded that a speedy trial be granted, or that he be unconditionally released. A copy of the protest was sent by the Consul to the Viceroy on the day it was made. Before Mr Wingates note covering the protest had reached Canton the Viceroy had sent a reply to the Consuls despatch of the 12th July, which Mr Wingate very properly considered

discourteous

discourteous. It would seem from the Viceroys despatch that he had determined to ignore entirely Mr Wingate, for he says:- "This on record "that orders have been sent "to the British Consul to send "Servants to Canton". Mr Wingate replied in a firm but respectful manner, reviewing the whole case and the action that had been taken, and resenting the indignity which the whole tone and tenor of the Viceroys despatch seemed intended to Cast upon the Consul, and through him upon his Government.

On

On the 21st July the Chinese Gunboat "Chentoo" arrived at Swatow. — The first intimation Mr Wingate had of the purport of the Gunboats visit was a casual remark made by the British Consul, that "Serrano's "Coach had come". The "Chentoo" left again for Canton on the 3d of August with Serrano on board as a prisoner. During her stay at Swatow no information was furnished officially to Mr Wingate about the proposed removal of Serrano. He however learned

learned through his Interpre-
-ter that the Viceroy's deputy,
who came in the "Chentoo",
had brought letters from
the Viceroy and British
Consul in Canton to the
British Consul in Swatow,
which led to the belief that
the British Consul in Canton
was urging the Viceroy to
cause Senano to be brought
to Canton for trial. These
suspicions Mr Wingate
communicated to Mr Consul
Sewell.

On the 1st of August
Senano presented to the Consul
a protest against being

sent

sent to Cavite, and demanded that he be allowed a speedy trial at Siratow, — the place where the alleged offence was committed, and where the proofs of the evidence was by which his innocence could be proved. The Consul also protested to the Captains of the Gunboat and the Viceroys deputy against the removal of Serrano from Siratow, and reiterated the prisoners demand that he be either allowed a speedy trial or unconditionally set at liberty. By Serrano Mr Wingate sent a letter to the U.S. Consul at

at Canton requesting the latter to protest to the Viceroy against these proceedings; he also in a private note, written at the last moment prior to the sailing of the "Chentoo", advised Mr Jerrell to refuse to have anything to do with Serrano's trial. His reason for giving this advice, as stated in his despatch to me, was, that "I (Wingate) thought an attempt "would be made to throw the "responsibility upon him (Jerrell)". The reason for volunteering the advice was stated more fully but to the same effect, to Mr Jerrell in the private note before referred to.

After Serrano had left Saratoga

Swatow and before he had reached Canton, Mr Wingate received two despatches from the Viceroy practically reiterating, in an offensive style, his previous demand, - that the ship and all the persons concerned in the affair should be sent to Canton; he referred to Semans's protest, and Mr Wingates suggestion made in a previous despatch that the prisoner should be tried in Swatow as it seemed probable that the man was innocent, as being "simply ridiculous".

The position assumed by the Viceroy was so extraordinary as

as well as untenable, and his language so discourteous, that it is impossible to account for it upon any other hypothesis than that he was ignorant of the real merits of the case. It is evident that he had been imposed upon by intermeddling advisers, either native or foreign.

Mr Wingate very properly considered this reiterated demand of the Viceroy most extraordinary, and his language discourteous in the extreme. The Consul replied in language that was plain & direct though entirely respectful, which seems to have taught the Party to whom they

were

were addressed a wholesome lesson, for they brought forth a response, under date of 20th August, explanatory and apologetic in tone. In this despatch the Viceroy begs Mr Wingate to explain the case to him more fully, and desires information as to the particular charge preferred against Wemmouth, and under what law of the United States he was punished. He closes the despatch by assigning reasons for his anxiety about the case, and specially disclaims any intention of treating the Consul with disrespect.

To this a reply was sent

in

in which the whole ground was fully gone over, and a full history of the case and all attendant circumstances carefully narrated. With this despatch Mr Wingates connection, officially, with Serranos case ceased. What occurred afterwards at Canton you will have learned from Mr Jewells report to me, copy of which accompanied my N° 201 of the 21st October.

In forming a judgment as to the propriety of Mr Wingates proceedings it should be remembered that it was upon information

furnished

furnished by him that
Serano was arrested. At
that time the Consul thought
that Wemouth and Serano
were confederates in the attempted
fraud. Subsequently he became
convinced that the prisoner
was sent to Swaton simply
as a clerk or cashier to make
disbursements for account
of Armero, as Wemouth might
need the funds, and that he
was not a party to, or
cognizant of, the attempted
fraud of Wemouth.
This not impossible that
if Mr Wingate had taken more
interest in the preliminary
examination

examination the prisoner would have been allowed to present evidence in his defence, which might have established his innocence. As it was, no evidence was given on behalf of the prisoner nor was he allowed to make a statement, and when the examination closed the Chinese officials (and Mr Wingate also) were fully convinced of Lemano's guilt. Their opinions were undoubtedly communicated to their superior at Canton; and when at a later day the Consul, incautiously as I think, intimated to the Viceroy his

his belief that the prisoner was probably innocent, it led that official to believe that Mr Wingate was trying to screen a person whom he knew to be guilty, and prevent the infliction of a just punishment. It is also not unlikely that the knowledge that Wenmouth was at liberty (he had paid the fine and was then released) led the Chinese officials to believe that his trial and conviction was a farce and a sham. If the Viceroy entertained these opinions, of which I have little doubt, it will not perhaps seem strange that he was

anxious

anxious to get Serrano out
of the Swatow Consular
District; nor would I be surprised
to learn that officials of other
nationalities were only too
glad to see the most possible
made out of the "Coupuf" case
as a sort of quid pro quo for
the trouble and annoyance
my despatch of June 14th to
the Yamen upon the Coolie
question had occasioned them.

It would appear
from the correspondence between
Mr Wingate and Mr Jewell,
2/ copies of which are enclosed,
that while the former was
anxious to secure to Serrano

a

a fair and impartial
trial by the Chinese authori-
-ities, he declined to assume
jurisdiction in the case
himself and objected strongly
to Mr Jewell doing so.
I commend this Correspon-
-dence to your careful
scrutiny when coming to
a decision as to the propriety
of Mr Jewells proceedings.
I have the honor to be
Sir,
Your obedient Servant
Frederick F. Low

Enclosures

No 1 Mr Wingate to Mr Jerrell
August 29. 1872

" 2 Mr Jerrell to Mr Wingate
September 2d 1872

Enclosure No 1
Despatch No 207

Consulate of the United States of America
Swatow, August 29th 1872

Sir:-

Referring to our correspondence relative to the case of Juan E Serrano who was arrested at this port on a charge of violating the laws of China, regarding the Coolie trade, you can but suppose, that it is with surprise as well as regret that I have been informed that you have assumed jurisdiction in his case, and that you have purposed to act as his judge. Apart from my wishes as expressed in my letters to you, and apart from the dictates of propriety, your own letters had given me reason to believe that such would not be your course.

In availing myself of your kind offices in forwarding my letters to the Viceroy, I thought it proper to keep you informed of the general features of the case. I officially requested you, as a Consul of

the

the United States, to protest to his Excellency against acts of seeming discourtesy to another Consul, and against acts of injustice towards a citizen of a friendly country, in regard to whom, from the circumstances of the case, I was entitled to be heard.

In my letter of Aug. 3rd I sent by the hand of Serrano, I requested for him your aid "so far as your "own sense of propriety and justice "demanded," fearing to have him, unrecognized by any foreign Consul, fall into the hands of those whose "tender mercies are cruel."

The Chinese authorities contrary to my wishes, and contrary to the proper course of justice, took Serrano from this port and carried him to Canton for trial. I protested against this, and against all who aided or abetted him therein. I object to any action on your part which shall confirm the action of the Chinese authorities and excuse or relieve them

them from their responsibility in the case as strongly as I should object to such action on the part of the Consul of any other nation.

My course with the Viceroy and other officials has been perfectly open; I consider that the only management necessary in the case was straight forward, careful conduct.

The Chinese requested the assistance of H. B. M. Acting Consul Stronach and myself. Their request is the ground on which I base my claim of right. If any foreign official can have a right to act in the case, that right is mine. Without the request of the Chinese I could not act and it is only in conjunction with them that I would consent to act. Of myself I would not dare to detain Serrano as a prisoner. I would not give a judgement that I could not enforce. I would not relieve the Chinese of the responsibility which belongs to them, although in the cause

of

of justice, I would freely advise and use to enlighten them.

I think we should be willing to assist them in maintaining order but I, for one, am not willing to be made a tool to aid in the arrest of any foreigner and then resign him to Chinese justice.

Had Lerand been arrested solely by the Chinese and were he subject to the usual procedure of Chinese Courts with their attendant punishments, it would be eminently proper for you, and every other Consul, to protest in the name of humanity.

But aside from such emergency and any rights which may have been acquired as were my own in this instance, the jurisdiction and the responsibility do belong to the Chinese, and they should not be allowed to shirk them.

I am told that Mr. Consul Robertson has refused to sit in the case, or to have anything to do with it. I am sorry that I could

not

not have heard the same report regarding your action.

I cannot foresee the result of the trial, but I do not learn that there is any witness against Serrano at Canton, unless it be the Chinaman who was arrested here at the same time as Serrano and who, although he may be himself innocent has had whatever evidence he has given, extorted from him by fearful tortures.

I enclose a reply to my last letter from the Viceroy which I shall be obliged if you will forward.

I am, very respectfully
Your obedient servant
(Signed) J. C. A. Stingate
U. S. Consul

R. G. H. Jewell
U. S. Consul
Canton.

Enclosure No 2
Despatch No 207

United States Consulate
Canton, 2nd " Septem. 1872

J. C. A. Wingate Esq.
U.S. Consul, Swatow.

Sir:-

I have yours of the 29th ult. which reached me with its enclosure, for the Viceroy, on the evening of the 31st ultimo. The latter was placed in his hands on the 1st inst, notwithstanding it was Sunday.

I was as much surprised by a reading of yours, addressed to myself, as, I presume, you were, when you received His Excellency's despatches ordering you to send the ship Congress, and all the persons connected with the late attempt to ship coolies from Swatow to Canton, for trial before the English and American Consuls.

For I think I perceive a display of peevishness, if not anger, in its composition, because I chose

to

to adopt a course which seemed to me the best for all concerned.

There is, surely, no doubt of the fact that you and I, as officers of the United States Government, are entirely independent of each others control. That we have, likewise, been selected for our positions with reference to our mental qualifications, involving of course the discretion with which the Government expects of us. And that under circumstances like the one now referred to, we must make use of these qualifications as best we can, with a view of obtaining the desired result.

It was, therefore, a matter of surprise to me, to find you manifest vexation — nay more, protest — because I punished the case of Susana differently from the path you desired me to take — as if I am to be governed by your ideas of my duty instead of my own.

If

If my excellent Colleague will only reflect a moment, I think, he will easily perceive that a man who needs the direction or instruction of his brother officers in cases like this one, would be of little use to his Country, or to those who might be situated as Serrano was. I have too high an opinion of my Colleague to think he would seek the opinions of others under similar circumstances, and, for myself, I have usually been governed by my own judgement, always holding myself responsible for its exercise.

Again, I do not think you were justifiable in supposing, from any correspondence which has taken place between us, that I would act otherwise than as I have done, if it was found necessary that I should take part in the Serrano case. My hastily written notes, do not certainly, give any indication of the policy I might adopt, as I really had not given it serious reflection; thinking it would be arranged somehow

somehow, without bringing Serrano, to Canton. I was very desirous not to be troubled with it, in anyway, and hopeful, when I learned the disposition of the Viceroy to have the parties removed to this Port, that you would maintain your jurisdiction over all. Therefore I was astonished when he addressed me twice (when forwarding dispatches to you through me) to be told by him that he was advised by the British Consul to this course. at the same time desiring me to assist in having them brought here. I did not reply to His Excellency's despatches. and you will recollect that I declined to intervene to the extent, even, of asking a question of His Excellency when you requested me to do so, for the reason above given. I believed, and still believe, that all could have been managed by yourself by the use of a little diplomacy, and without any falsehood, or the assumption of authority which Consuls do not possess.

Yours

You owe the removal of Serrano, and the desired removal of all the others to a British Consul, and the indiscreet expression of your own opinion (with reference to Serrano's innocence) to the Viceroy; and I am much inclined to think Mr. Robertson did not give such advice.

That such advice was given, there is little doubt, since the statement is made in two or three despatches from His Excellency to myself. No English Consul had a right to interfere in the affair in any way, unless by the express desire of the Chinese officials, in the case of Serrano only, or by a Consul, having jurisdiction, or a right acquired by Treaty, as with us, but which does not give judicial power, unless with the consent of the Chinese Government.

In the case of Serrano, there is no doubt of the entire and sole jurisdiction of the Chinese Govt.

That

That the Consuls is endowed by the Treaty with the mere privileges of an Advocate. These were of little value, since with the Chinese Judiciary they are regarded as impertinent and hence with disfavor. I sympathized with you, of course, in the seeming slight with which the Viceroy was determined to visit you; but found myself entirely powerless to relieve you. He seemed to regard the conviction of all concerned in the Swatow affair as a duty imposed upon him by his Government, in order to quiet the Foreign Ministers, who were charging the Government officials with winking at (and conniving in) the Coolie traffic.

And he evidently regarded the punishment inflicted upon Thermouth and the others as calculated to injure his Administration, on account of the lightness of it, and was therefore determined to make an example of Serrano.

Immediately

Immediately upon the arrival of the vessel bringing the prisoners, His Excellency informed me, and requested me to unite with the Kuang-Chow-Foo in the trial. Serrano had also demanded my protection. I saw the difficulties, and marked out a course. Instead of answering his despatch, I sought an audience first, to see what I could accomplish in that way. I took with me the Rev. Charles F. Preston, to act as Interpreter. After the usual compliments, I commenced by asking "upon what ground he based "the right of jurisdiction over an "American citizen". He was puzzled for an answer; for, like most Chinese, he knows little of Geography or History. He said he thought in this case the laws of China as well as those of my country had been violated. He thought the prisoner ought to be tried by the two nationalities, jointly, and had so informed me in despatch.

2

I said, in reply, "Suppose I grant
"the truth of your Excellency's remarks,
"why bring him here, when Swatow
"was the place where the violation of
"law was committed, if a breach
"has taken place, and is therefore
"the proper place for trial." He
then gave the reasons, again, that I
have told you were given in despatch,
for his removal of the prisoner,
alleging that he was justified in
believing that the prisoner would
be acquitted, if tried in Swatow.
I remonstrated, and the matter
was discussed for an hour,
without effecting any change in
his mind. Yet he repeatedly
acknowledged my jurisdiction,
and offered to turn the prisoner
over to my ~~control~~, if I would try
him. I declined to accept of the
trust unless he would consent
that Lessans should be sent back
to Swatow, and restored to your
jurisdiction; or rather, to allow you
to try him in conjunction with

the

the Chinese officials. He declined this proposition peremptorily.

I stated that it might be a means of causing you to overlook what you regarded as an offensive slight and which might be the occasion of an angry discussion between the two Governments. He was inflexible.

I then consented, if it was understood that my jurisdiction was unquestioned, and the prisoner should be allowed to remain on board the Revenue vessel, until I could make it convenient to try the case. This was agreed to.

Two days after, he desired to claim precedence for the Chinese official, and that the trial should take place in the Yamen of the Kwang-Chow-foo, the United States Consul joining. There was an issue involving extensive and warm correspondence, ending in his consent that Serrano should be tried at the United States Consulate jointly with

the

the Kwang Chow-foo.

The trial occupied two, (and a part of third,) days, viz the 26th, 27th and 28th August. He was acquitted, as you will probably hear before you receive this.

I have given you a rapid and imperfect narrative of the principal events connected with a matter that was managed by me, after it came into my hands, with as much ability as I am master of; and taking into consideration the delicacy involved, in my judgement, it has been brought to a close in a manner that may be for the best interests of all concerned; reflecting upon you but a fancied slight — for you must recollect that you, yourself, placed the prisoner in possession of the Chinese officials. After this was done, how could you, consistently, claim the right of trying him — particularly when

when you had also put them
in possession of your opinion,
or prejudgement.

I am, dear Sir, very frankly
Your obedient Servant
Signed R. G. H. Jewell

What is the appropriation for Interpreters in China? Eds
Refer to Engineering & Architectural Book Mr. [illegible] Say 27
W Bardan

No 208



Legation of the United States
Peking, November 13, 1872.
Frederick F. Low
to
Department of State

Subject

Tientsin Consulate.

William A Pettick has been employed temporarily as Interpreter; he has also been nominated as Vice Consul. Says that the pressing wants of the Consulate will hardly admit

of delay in the employment of an Interpreter, and the delicate state of Mr Sheppards health renders the appointment of a Vice Consul necessary.

The Minister has sanctioned the Vice Consuls appointment temporarily, and hopes the Department will confirm it; he also requests that a suitable allowance be made for the pay of Interpreter,

No 208

Legation of the United States
Peking November 13th 1872

Sir:-

Mr Sheppard, Consul at Tientsin, reached that place and took charge in September last. Upon handing over the Consulate to Mr Sheppard, Mr Meadows formally retired from the position of Vice Consul.

The Consul has not as yet been able to locate himself permanently, for the reason

Hon Hamilton Fish
Secretary of State

reason that there are no
buildings for rent suitable for
a residence or for the accom-
-modation of the Consulate.
It is doubtful if he will be
able to provide himself with
either comfortable or convenient
quarters until arrangements
can be made by which
buildings can be erected, either
by himself or by some person
for him.

Mr Sheppard informs
me that he found the Consulate
entirely destitute of furniture
or books. He fortunately
brought some books from the
Department, and I have
supplemented

supplemented by them others which could be spared from the Legation. Among those sent from here was a set (nearly complete) of the U.S. Statutes at Large, which can be permanently retained in the Consulate.

I learned with regret from Mr Sheppard that the Bill, in which provision is made for an Interpreter at Tientsin, failed to become a law at the last session of Congress. It is to be hoped that the Bill will pass the House at the ensuing session. What to do about an Interpreter in the meantime became a

question

question for serious consideration, for unless one could be employed the Consul might as well be in Washington as Tientsin, so far as any practical benefit he could be to the public interests. It was not easy to find a competent and reliable man who would accept the position without a distinct and positive assurance that he would be compensated for his services; to employ a native at such an important post as Tientsin would be inconvenient if not positively impracticable. I am however gratified to learn from

Mr

Mr Sheppard that a competent person has been found to accept the position, relying upon the Department for a reasonable allowance in the way of salary until Congress shall by appropriate legislation make the position permanent and the salary respectable.

An assurance that I would represent the matter fairly to the Department aided the Consul not a little in making the arangement; without such a promise from me it is doubtful if anything could have been done.

I may add that it seemed

seemed absolutely necessary that the Consulate should get into working order at the earliest moment possible, for there are now pending several important as well as difficult cases which require immediate attention, in which nothing was possible to be done without an Interpreter.

Mr W. H. Pettrick, the Interpreter, has been nominated as Vice Consul. I trust the Department will confirm this nomination.

As you are perhaps aware, Mr Sheppard is in delicate health. He is liable

liable to be incapacitated for active duty any day. In view of the possibility if not probability of such a contingency happening, I have deemed it to be my duty to sanction the Vice Consul's appointment, and thus qualify him for active duties at once, pending reference of the question to the Department.

Trusting that what has been done will meet the approval of the Department,

I have the honor to be

Sir,

Your obedient servant

Frederick F. Low.

Sub

Ackd.

No 209

DEPARTMENT
RECEIVED
JAN
23
1873
OF STATE.

Legation of the United States

Peking, November 18, 1872.

Frederick F. Low,

to

Department of State

Subject

Receipt of Depart-
-ment dispatches.

Acknowledges the
receipt of No 99, and duplicates
of Nos 92 and 93.

No 209

Legation of the United States
Peking, November 18, 1872

Sir:-

I have the honor to acknowledge the receipt of Department despatch No 99, and duplicates of Nos 92 and 93.

I have the honor to be
Sir,
Your Obedient Servant
Frederick F. Low

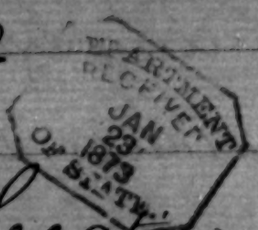
Hon Hamilton Fish
Secretary of State

Feb 2 Ans Feb 2 Ack.

Mr. Bridan

Confidential

No 210 One Enclosure



Legation of the United States

Peking, November 20, 1872

Frederick F. Low

to

Department of State

Subject.

The purchase of children by Romish Missions in China.

Encloses a report of the "Society of the Holy Childhood", in which it is distinctly stated to be one of the objects of the Society to purchase children, and gives the prices at which

which they can be bought.

Reiterates the opinion expressed in previous dispatches, that the practice referred to is fraught with danger to the Church and to all foreigners residing in the Empire,

Confidential

No 210 One Enclosure

Legation of the United States
Peking, November 20, 1872.

Sir:-

One of the grave charges brought against the Roman Catholic Missions by the Chinese is, that the children for their Orphanages are recruited by purchase, and that the practice of buying children encourages kidnapping; — a practice that is held in utter detestation by all classes.

Hon Hamilton Fish
Secretary of State

This

This charge has been stoutly denied by those who undertook to speak for the Church, and also by the French Legations.

It is understood that the Romish Missions proper, in China, are supported mainly by funds furnished by the "Society for the Propagation of the Faith;" and the Orphanages by the "Society of the Holy Childhood." Both societies have their head-quarters in Europe, where reports of their proceedings are published periodically. One of the "annals" of the latter society has recently come into my

my hands, and I beg to transmit it herewith.

The "Rules of the Society," which include a statement of its objects, as well as the inducements held out to contributors, will be found on the last page of the cover. To them I desire to call your attention particularly.

The objects of the Society you will observe are;-

1st To procure baptisms in heathen countries for infants;

2d To buy those that can be saved, &c

As an assurance to contributors that their funds will be expended

expended judiciously it is
gravely stated that, "with every
"half crown that is sent to
"China one infant can be bought".

That children are
purchased for these Orphanages
there can, I think, be no longer
any question; of the impolicy
of such proceedings, involving
as they undoubtedly do danger
to the Church itself and also
to every foreigner resident in
China, I have for a long
time been profoundly impressed.
My opinions touching this whole
subject have been given upon
without reserve in previous
dispatches. Experience

and

and observations only tend to confirm them.

I have the honor to be
Sir,
Your Obedient servant
Frederick F. Low

Enclosure
No 1 Annals of the Society of the Holy Childhood. May 1872

No. 106 May, 1872.
(To be continued every other month.)

ANNALS
OF
THE SOCIETY
OF
The Holy Childhood.

TRANSLATED FROM THE FRENCH.

PRICE THREE PENCE.



DUBLIN:
JOHN F. FOWLER, 3 CROW STREET,
DAME STREET.

THE SOCIETY OF
THE HOLY CHILDHOOD,

For the Redemption of Pagan Children in China and elsewhe

IS UNDER THE ESPECIAL PATRONAGE OF

HIS HOLINESS PIUS IX.

THEIR EMINENCES

The Late Cardinal Archbishop of Westminst

THE CARDINAL ARCHBISHOP OF DUBLIN,

AND THE RIGHT REVEREND

The Bishops of Great Britain and Irelan

FOR GREAT BRITAIN:—

TREASURER:

REV. HENRY A. TATCHELL,

St. Bernard's Abbey, Whitwick, Leicester.

SECRETARY:

MRS. (LAURA) DE LISLE,

Garendon Park, Loughborough.

FOR IRELAND:—

TREASURER:

REV. WILLIAM PURCELL, C.C.,

Chapel House, Marlborough Street, Dublin.

Secretary for the Provinces:

MISS D'ALTON, 49 Lo..er Gardiner Street, Dublin.

Secretary for Dublin:

MR. P. J. DONNELLY, 88 Marlborough Street.

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ANNALS

OF THE

Society of the Holy Childhood.

No. 106.—MAY, 1872.

CHINA.

Letter of Bishop Chauveau, of the Society of Foreign Missions, V.A. of Thibet, to the Rev. Director.

[We desire to call the attention of our associates to this instructive and highly interesting letter. We may read, perhaps not without some surprise, the details relating to the primitive institution of the "Thibetian Llamasaries", and the wise and beautiful maxims of the ancient Llamas. But, as Bishop Chauveau himself tells us, it seems evident that Thibetian Llamaism must have borrowed something from Christianity, in the same manner as Buddhism must have had an early acquaintance with the first books of the Old Testament. Llamaism has, therefore, very probably borrowed from our Catholic monasteries the idea of its Llamasaries, and from the Gospel those of its maxims which are similar to those of the sacred book. In this way only can we explain the existence of the Llamasaries. In general, when we find among pagan nations a religious institution from which is reflected a character pure and divine, there is very little risk of deceiving ourselves by attributing its origin either to early traditions of Christianity, or to Christianity itself, the source of all purity and true greatness, in ancient as in modern times. Paganism, the corrupt source of error and falsehood, could never attain a height so sublime.]

Ta-tsien-low, 4th October, 1869.

Rev. Sir,

The great interest which seems to attach itself more and more to the name of Llama, and the extreme kindness with

which you receive the most simple documents relating to the difficult missions of Thibet, have led me to think that you would read with pleasure some details regarding "the actual state of Llamaism in Thibet". In examining a little more closely this question, upon which, by the way, a great deal has been written, we shall have occasion to make some observations, which would not, perhaps, appear useless in this, as is generally supposed, the sixth age of the Church, for these times are very mysterious in more ways than one, and the eye of faith is instinctively drawn to consider seriously what is passing around us in the world.

The Holy Childhood cannot remain indifferent to this study since, by its divine and maternal mission, it is called upon to spread innumerable benefits in all these countries of Central Asia which have been desolated by Llamaism. Poor Llamaism! Let them not imagine that we are come to combat them "cum curribus et in equis", with planted cannon and needle gun. No certainly; we come in the name of a Master who desires the death of none, and who has given His own life to save the world. At present they curse the poor priest who presents himself to them, armed only with mercy. Happy would they be, if, on the contrary, they could say, "Benedictus qui venit in nomine Domini!" That day will come; we have no doubt of it. But we must leave to God the secret of what will happen later. Another generation will witness it. To confine ourselves to present times, there is no doubt that Llamaism is tending to its end. Its influence is retained through customs, prejudices, interests, and ancient traditions which belong to all institutions of the past. But customs are beginning to change in Thibet, as elsewhere, prejudices are effaced with years, interests tend to separate themselves from religion, and the ancient traditions seem to give place to new occupations which current events impose. At the threefold point of the religious, social, and political aspect, I believe I shall not astonish you in saying that the institution of Llamaism was a great thing. We are at first tempted, with our Christian ideas, to see in Llamaism only a tissue of errors and juggleries and the complete falsity of their dogma authorizes in some degree our contempt and our boldest suspicions. Yet, to be just, we must acknowledge that if Llamaism introduced immense errors into Thibet, it has also brought with it the germ of a civilization which must become fruitful in advantages. I cannot develope this subject to its full extent, for, to do so

instead of a letter, I should be obliged to write a large volume, But, in reality, there is in the general idea of Llamaism something not revolting to the Christian thought. "That which passes is nothing; the world is only a figure; the true good is elsewhere". But St. Teresa says the same thing! "Man is born in sin; he must, by penance, alms, contempt of pleasure, and especially by prayer, try to pacify the anger of the gods, to repair his faults, and to merit happiness in future ages". But Socrates has scarcely ever spoken better! "Our whole life belongs to heaven; our great labour must be to honour the spirits; we must sacrifice our property to them, offer to them our thanksgiving, obey their orders, and imitate the virtues of which they have given the example in past generations". Alas! there are thousands of men in the streets of Paris who know not, or at least believe not, so much as the poor Thibetian whom I see pass by my door every day, reciting in a lugubrious tone his eternal "Om-ma-ni-pé me-ong!" If Llamaism, by its essentially spiritual teaching, had not softened the naturally ferocity of the inhabitants of these vast countries of Central Asia, they would now be peopled only by hordes of savages as destructive as tigers. No doubt, the malice of the devil, the passions of men, the brutality resulting from ignorance and poverty, have, in a great measure, stifled the promising seed which Llamaism would have brought forth, if it had been fertilized by the sun of grace. But, in my opinion, we must acknowledge that it contains in its bosom, and ostentatiously proclaims, certain principles with which the majority of the ancient sages were unacquainted. We will, one day, take our stand upon these principles, which will give us great advantage in our encounter with the enemy. We have not this advantage with the Chinese, who are a mercantile people, and practically, at least, materialists and atheists.

The first and most remarkable manifestation of Llamaism, is undoubtedly most important work, was the creation of the Llamasary, an institution which so vividly reminds us of the Catholic monasteries of the middle ages. At the present period, in a land intersected by railways, a strong portion of common sense and good faith is required to comprehend the immense utility of monasteries in ancient Europe, and of Llamasaries at the present time in a country like Thibet. We have no such difficulty here, for all that exists around owes its existence to the slow and silent but persevering toil of a Llamasary. I candidly confess that the Llamasary, such as I

have seen it, and such as it was in ancient times, is to me a
inexplicable phenomenon. I can understand how the princi
ples of the Gospel produced the Catholic monastery in Christia
countries; but how Llamaism could, in these wilds of Asia
have given birth to an institution so strikingly analogous t
the Catholic monastery is still a mystery to me. For my part
I see in it the hand of God, as we may see it in several of th
institutions of Greek and Roman paganism. I see in it on
of those dispositions of Providence, before which my reaso
becomes obscured, and is really confounded, but where
cannot doubt, that the Divine Wisdom shows itself in a r
markable manner. A question of the greatest interest wi
now present itself to us. Is it true that there was formerl
practised in the Llamasaries a great deal of sincere, striki
and heroic virtue? Do we still find among the Llamas m
who are at least apparently holy? I shall not now enter in
these questions. We may, God willing, return to them at
future time. At present I shall only observe that the Llam
sary constitutes the power, the light, and life of the people
has formed. Yes, Thibet is this, or nothing. I involuntari
compare the Llamasary to the queen bee in a hive: if she lea
the swarm is dispersed. The Llamasaries in Thibet are
kings in other countries. This is what I desire to show yo
These are times of strange and singularly deplorable incide
Even now, in the sight of heaven, amid all our civilization, t
Divine idea seems to be effaced from the hearts of men. Th
fact could be easily explained in Europe, where, by means
the press, the child is poisoned in its cradle, where all t
means of seduction are displayed with impunity before
eyes without any one rising to defend insulted truth. But h
can we explain all these symptoms of decay and death whi
manifest themselves in our wild and distant mountains
Thibet? The press has assuredly nothing to do with it,
means of seduction not more powerful, nor more develo
now, than in the time of Abraham. How is it, then, that
have already in our midst mountebanks of impiety, freethink
as audacious as may be found in Paris or Brussels? So
other power besides mere chance must be at work. On the
hand, what has become of the Llamasary, which may be de
minated the moral thermometer of Thibet? Its walls
exist, but the spirit that raised them has retired with a frig
ful rapidity. I write this, because I believe that a people
tirely corrupted is more difficult to convert than one obsti

in error. The source of all impiety, of attachment to idolatry, is in the corruption of the heart. I am ready to acknowledge that the Llamasary has been an immense depôt of errors and falsehoods, but it is evident that it has nourished precious truths, principles a hundred times more honest, more powerful with the people; I may say a hundred times more Christian, than the rumours which have reached us to-day from all parts of Europe. What has become of the Thibetian Llamasary? You will judge by the following observations that all that precedes has been written in a spirit of melancholy reflection on the extraordinary epoch to which God has reserved us.

1st. Every religious institution which desires to exist must remain faithful to its creed, to its constitutional principles, to its traditional practices, and to its rules. This cannot be doubted. At first, the Llama was the doctor of truth, of charity, humility, poverty, an example to the people by his mortification and detachment, the living mirror of the perfections of a superior world, a man of prayer, which, above all, secured his *prestige* among the people of Thibet. To this Llama then, this man of prayer, business was strictly forbidden, trade and commerce were a disgrace to his office; in him usury was more than a disgrace, it was really a crime. What have we seen for a long time past? All the Llamas, small and great, are in trade. I have no hesitation in asserting that out of ten caravans which arrive at Ta-tsien-low, either to sell or to purchase, nine belong to the Llamasaries, and I could not positively contradict any one who would claim the tenth. The commerce of the Chinese in Thibet is dead; every one knows that the Llamasaries have destroyed it. What they purchase they sell to the people at an immense profit. The Llamasary is transformed into a bazaar. Gold, silver, all the resources of the country, fall into their hands, to the great scandal of the people, who once had venerated them. The funds of the Llamasary are very large when they receive money, but they contract when they have to pay, whence it follows that they have two accounts. Its means increase in the same way. One of my *confreres* related to me a case in which he was a witness, where the value of one shilling at the end of three years had produced a debt of £30, which was so rigorously exacted as to deprive the debtor of his lands, his domestic animals, his wives and children, and all this without any legal appeal being possible to his family or to the impoverished village. The Thibetian officer goes quite as far as the Llama. Can we then

be astonished if the Llamasary threatens ruin, and if the unhappy Thibetian sees only in the temple built by his fathers the shadow of a powerless idol, and the strong-box of a merchant who calls himself his minister?

2nd. The primitive rule of the Llamasary expressly forbids gambling, a dangerous amusement in every country, a passion ruinous and quite as foolish in Thibet as elsewhere. Now, it is publicly notorious that, with the exception of a few blockheads who have not sense to know the cards, all the Llamas play, even the little Bonzillons of ten years of age. If a person wished to learn gambling, there is no better school for it than the Llamasary. The parties are kept up during the whole night, and it often happens that the sun rises more than once before they have ended. My *confreres* at Patang, walking one morning near the river, met a large party of Llamas playing with such extraordinary earnestness as must have done honour to the demon who inspired them. Our poor Thibetians certainly do not rise very high on the wings of genius but they have sufficient sense to understand that the hands of a gambler are not the hands which are raised to heaven neither are they hands which labour or draw down a blessing. They will remember this on the day when the Llamasary crumbles away.

3rd. Every one knows that the Llamasary has taught that celibacy is one of the essential conditions of a religious life. The most fearful punishments are enacted against those who infringe this law. After having received several thousand lashes, the culprit is suspended on a very high gallows, placed at the south gate of the Llamasary, there to remain for several hours. He is then ignominiously expelled for ever; he is deprived of all that belonged to him, and his name is effaced from the register. Notwithstanding the severity of the punishment, it is certain that the evil has invaded the Llamasary to a frightful extent. One celebrated Llamasary is mentioned whence twenty-eight members were expelled in 1866, and thirteen in 1867, on account of immorality. All these facts are known to the people, so that the Llamasary is not so influential as it was, and its own excesses will bury it beneath its own ruins.

4th. On whatever side we look at the Llamasary, we see signs of its decay, since it no longer adheres to the rules which were its safeguard. Thus, according to its ancient discipline each Llama was to sleep alone in his cell; now there are three

or four together in a small room. Formerly the *entrée* to the Llamasary, except under certain exceptional circumstances, was forbidden to all women; now they are as free to enter here as in any other public building. According to the rules, the Llama was a man of prayer, obliged by his vow to be contemplative, he was to have no dog, ox, or horse; even poultry were banished from the Llamasary. In these times poultry abound in the Llamasary, magnificent dogs guard its gates; it possesses not one ox, or a small stud, but immense flocks; the finest horses in the country belong to the Llamas, and these noble animals are proud, perhaps happy, because they are the best fed and most richly comparisoned in the country. According to the beautiful theory of former times, the Llama was a man of mortification, of poverty, a pilgrim journeying to his own land; he was to have very little fuel in his Llamasary; now they have large quantities of the best and driest wood, and they have a number of beasts of burden to carry the wood, and slaves to cut it. All these things tend to deprive the Llamasary of that halo of sanctity, and that tribute of respect, which penitence and austerity always attract to a religious institution.

5th. In how many other ways do we see the rapid decline of the Llamasary? I will briefly mention some. Thus, according to pure Llamaism, a religious should not eat meat; now our Llamas never deprive themselves of it unless when they are compelled. A religious was forbidden to drink wine; now our Llamas are of a different opinion; we often see them like persons who have not drunk pure water, and for whom the head is not sufficiently wide. A religious must not smoke; now many Llamas renounce this species of mortification; tobacco smoking is very common, and we are assured that several of them smoke opium, and that they are as fond of it as the most infatuated of the Chinese. A religious ought to have his head shaved, and should not have that species of tail which the Chinese wear at the back of the head; now you should see our Llamas, especially the young ones, the dandies of the species, who begin to ornament the tail, which some have very long, and adorn it with amber, coral, flowers, and other embellishments of the world. A religious should be a stranger to the use of weapons, a Llamasary should have nothing of the kind, such is the rule; now, in opposition to these constitutions, the Llamas are nearly all armed; they have excellent guns, one Llama may have several; they have the best sabres

and the best tempered knives. So well provided is the Llamasary in this respect that it may be taken for a citadel. I have just heard a fact, of which I was previously ignorant, and to which my attention had not been drawn, that there is in Thibet a military religious order. The Llama is, in fact, a religious in time of peace, and in war a soldier, and receives pay. It has been remarked that the Llamasaries, feeling that their moral power is departing, demand from material force the strength they have lost in the hearts of the people. This is but as a sheet of paper placed over the abyss. We already perceive that those Llamasaries who will have recourse to arms will perish by their arms; the people being against them, their foundations will give way, and their arms will prove the cause of their irresistible fall.

6th. Again, another fact of which I was yesterday ignorant, and which seems worthy of observation, since, when the topic under consideration is a decadence so universal as this of which we speak, we must not be indifferent to any of the symptoms which characterize it. Now, I have just been informed with certainty, that the general relaxation of discipline in the Llamasaries had not its source in the provinces, but in the very capital itself, of L'Hassa; it is from L'Hassa that the disorders spring which are now perceptible in all the Llamasaries of Thibet. There is nothing surprising in this; it is not the first time that the corruption of a society has commenced at its head. Nevertheless, this observation, which has never before been made to me, seems to merit my undivided attention. Llamaism, we know, was sustained in Thibet, as it were, on two columns; we may also say that it had reached a very high eminence in Central Asia, raised by its two wings, of meditation and prayer. Now, of these two columns, one is reversed, and the other trembling; of the two wings, one is broken beyond repair, the other feeble and languishing. Meditation is now never practised either at L'Hassa or in the other Llamasaries of these countries. What I mean by *meditation*, is that strange kind of contemplation adopted by Buddhism in all its forms. Ridiculous as I am aware it seems from one point of view, from another it is nevertheless true that it raises the soul, shakes off its indolence, maintains the rules, keeps up a continual intercourse between the two worlds to which man belongs by his body and by his spirit. Our Llamas no longer practise contemplation; it is to them only an ancient relic of the past. As a natural consequence, they

even neglect prayer, that fundamental basis of the Llamasary: not that they do not recite their prayers; they still say them; but it is only a habit, a work of routine, a relic of human respect. At L'Hassa, and in all the Llamasaries of a certain rank, scarcely any but those who are children, and those who are too old for anything else, go to the prayers. The superiors, the heads of the rank and file, all the different politicians leave their subalterns to arrange with *Ca-nya-mouni* as they please. As to themselves, they are occupied with business, money, or merchandise. I repeat it:-the Llamasary is transformed into a bazaar. I had here, yesterday, a good Thibetian sent by a Llamasary with the modest sum of 50,000 rupees—£5,000. This Llamasary, like so many others, is threatened with ruin, and this is inevitable: the Thibetians, already dissatisfied, will soon see that a merchant can never be the religious head of a people.

7th. St. Teresa (who would be very much astonished to find herself here), often said to her dear Mary of St. Joseph, Prioress of the Convent of Seville, "It is better for a monastery to yield than to go to law". The ancient Llamasaries were exactly of the same opinion as the illustrious reformatrix of Carmel, and one of their rules expressly prohibited all appeal to law. Now, for a certain time past, about four or five years, the demon of law has entered all the Llamasaries, and has there kindled a fire which threatens to destroy them. They have law-suits every where: with the people, with the Thibetian officers, amongst themselves, with the French missionaries; law suits in Thibet, and also in China. The Llamasaries would enrich the lawyers of Europe and America, if they could only speak the language. Not only do they try their causes in the courts of law, but also on the field of battle. Of this we had a memorable example in 1867, and this will not be the last. Yes! the Llamasary falls away. According to the constitution, a Llama should not only prevent a law-suit, but he ought not even to be present when it is tried, or see the apartment where it is held. Now, whom do we most frequently meet in the courts? The officers of justice and the Llamas. What could I not say of their violence in the tribunals—their injustice, their calumnies, their false witnessing! of the intolerable control which they exercise over the judges themselves, sometimes by threats, at other times by bribes! But I must limit my assertion. I conclude by saying: If it be true that justice exalts empires, it must also be true that

law ruins them; for justice and law are irreconcileable enemies among pagan nations.

8th. There can be no doubt that Buddhism at an early period obtained its spirit from the first books of the Old Testament; in the same way, it seems evident that Thibetian Llamaism has borrowed some of its maxims from Christianity. Many of its rules are worthy of praise. Thus, a Llama should always walk with calm recollection and gravity. He must enter the temple with every mark of the deepest respect; and, indeed, the ancient Llamas always behaved with the greatest modesty, often prostrating themselves on their knees. All this is now changed, in the temple as well as in the street; our Llamas walk on proudly, the brow haughty and elevated, fixed and stiff as a soldier under arms, upright as an obelisk, the head much nearer the back than the breast. Through a feeling of laudable delicacy, a Llama ought not to go to a wedding; now, it is nothing unless a Llama is present. They often come riding on beautiful horses; they gamble, they amuse themselves, they sing; they don't eat without drinking, and that is evident; they are said to be the most jovial guests, but the respect which is due to them, and which they owe to themselves, remains at the bottom of the bottles. Llamaism, exclusively devoted to prayer and contemplation, should have nothing to do with labour, horticulture, or agriculture. The Llama of our times has completely altered this system. The Llamasaries have nearly all large gardens, and all labour with energy in the work of the farm, a laudable work in itself, but contrary to the rules of the Llamasary. The Llama, thus become a farmer, makes use of the produce of his land, watered with the sweat of his slaves, to increase his possessions and obtain more slaves. He acquires the means to become the unfeeling usurer of whom we have elsewhere spoken. It is thus that by means of the Llamasaries, the labour most necessary to man becomes the chain which binds him, his family, and his posterity.

9th. I confirm what I have already said, by a last consideration. According to ancient rules, a Llamasary should be an asylum for the indigent, a place of refuge for the proscribed, a house of consolation for the poor. The Llama should be not only the teacher, but the support and father of the families of his neighbourhood. How all this is changed! Now, the Llamasary is the terror of the neighbourhood. It is become the dungeon of the master, the citadel of the sove-

reign. The Llama should never strike; he ought not even to return an injury. This theory was very well for the ancients; but in actual practice, the Llama has a curse on his lips for every trifle that displeases him: if any one has only the misfortune to say *pona bé lama* (Lord Llama), instead of *lama pona bé* (Llama Lord), which is more polite, maledictions are not sufficient, the mistake in speaking must be punished with blows. For faults comparatively slight, the Llama now strikes, and strikes with a violence which makes him feared; for graver faults, the Llamasaries assume to themselves the privilege of cutting off the culprit's head, even in the Llamasary, although this is contrary to their rules and also to the laws! There is something more horrible. A poor Thibetian owed a certain sum of money to a Llamasary; they demanded from him the money. Once or twice they were indulgent to him, because the poor debtor was prudent and respectful in his words; had he forgotten himself on this point, he would have been beaten cruelly—received strokes which would fell an ox; but at last, the Llama losing all patience, deprived him of all that he had, without excepting the straw of the stable! Should an unfortunate man, carried away by anger, insult the Llama—if, for example, he should say to him, "What religion do you preach to us? What do you do that does not cry for vengeance? Will not the earth swallow you up alive?"—and other invectives familiar to an exasperated man, the unhappy creature would be seized by the Llamas, taken to their dungeon, beaten with clubs, given up to every torment, and at length put to death by being flayed alive, and his skin suspended in the Llamasary. Is this the primitive institution such as history has pictured it? Is this the Llamasary which for so many ages has been venerated in Thibet? Is it possible that such brutalities and such crying disorders can exist much longer? I am ready to admit that there are some Llamas more compassionate, and even that there are perhaps still some Llamasaries which reflect a resemblance to the past. But, I take the institution as a whole, such as the Thibetians themselves represent it, and, out of respect for you to whom I am writing, I am obliged to soften many of its features. But in writing this letter, have I not given way to my feelings as a Catholic priest, perhaps even to my antipathies as a Thibetian Missionary? for, indeed, this long letter appears to be only a long accusation against these poor Llamas: has not imagination darkened the coours of the picture? This is probably, Rev.

Sir, a thought which, I imagine, has often presented itself to your mind, whilst reading my letter. I acknowledge, in conclusion, that certain expressions, certain figures of speech may be attributed to imagination, but I assert, that with regard to facts I seek to paint them in their true and natural colours. I will say another thing, which may cause some surprise. In writing, I have several times felt in the depths of my heart a regret at seeing this old Llamasary crumbling and falling to decay; I feel myself oppressed by that sort of sadness which a solitary traveller feels in the presence of a ruin.

You will perhaps maliciously say to me, "Would you still preserve Llamaism and the Llamasary?" "No, certainly not". I would reply to this objection, "I am come to Thibet for another purpose". But I would wish to preserve in the depths of the heart of the poor Thibetian that respect for the divine power, that contempt of the world, that continual remembrance of a future life, that intimate and profound sense of the supernatural, of which the Llamasary was formerly the living sermon. But faith in these great truths tends to disappear like the Llamasary itself, and then what will be the consequence? God knows! The Thibetians say very seriously that this simultaneous falling away of the Llamas and the people announces the end of the world! I beg your prayers, Rev. Sir, with those of the associates of the Holy Childhood, for the poor lost sheep in these deserts, and I place my trust in Jesus, the Saviour of men.

Your grateful and devoted servant,

✠ Joseph Marie Chauveau,
Bp. of Sebastopol, V.A. of Thibet.

Extracts from a Letter of Rev. F. Thierry, Lazarist Missionary, Pro-Vicar of the Province of Pekin, to the Resident Director.

Pekin, 15th November, 1870.

Rev. Sir,

The Association of the Holy Childhood was established several years since in this vicariate, by the late Bishop Mouly, and it is now progressing, as you may see by the receipt of the subscriptions. The four churches of Pekin have associates, and the small districts of the mission have also a good number. Our old Christian families, better instructed than our neophytes, also better understand the spirit of the Church in her

works of charity. Wishing, therefore, to draw down upon their children the blessing of our Lord, they incite them to have their names inscribed as members of the Society. There are even some families who form a circle of themselves. A few sapecs every month appear to them but a trifle, and they give them with all their heart. The Feast of Holy Innocents is the day fixed for the Feast of the Holy Childhood for our little Chinese associates. Our church of St. Saviour's is the place of reunion. At that time it is generally very cold; indeed, there is often snow; but no matter, the little children are not less happy to come and deposit at the feet of the Divine Infant reposing in the crib, their little offering in behalf of their young brothers who are poorer than themselves. We see Christian mothers come there with two or three children, one in the arms and the others following behind, happy in being able to present them to the Saviour Jesus! Certainly, the feast is not so brilliantly kept as in France, and has not the joyful ceremonial of the European feasts. But it is not therefore a less touching sight to see, in the midst of this great idolatrous city, this crowd of little Christians kneeling and singing prayers around the Vicar Apostolic, who, after having celebrated mass for them, says to them a few words of edification and encouragement, blesses them, and rewards those who have shown the greatest zeal for this good work. I cannot assist at this infantine festival without emotion; and, in seeing the Bishop in the midst of this little flock, I seem to see our Saviour saying: "*Suffer little children to come unto me*". One district has given, unaided, nearly nine pounds; but I must say that it was administered by a true apostle of the Holy Childhood, viz., Fr. Ou-Vincent, who fell under the knives of the assassins of Tien-tsin on the 21st June, 1870. Fr. Ou-Vincent dearly loved the Holy Childhood, and was animated by a holy zeal for its extension among his flock. By his exhortations and efforts he had succeeded in exciting the zeal and the generosity of his Christians, who every year baptized a large number of dying children. At the time of his annual visit, he was gratified by seeing them bring to him the list of the children who had thus entered heaven. He encouraged them, and gave to each a reward. These good people, perfectly satisfied, promised him on their side to do better still in the following year. Fr. Ou-Vincent knew how to touch their hearts, and to make them understand the excellence of the Holy Childhood. This

good Chinese missionary spoke French well. He was singularly fond of reading "*The Annals of the Holy Childhood*". Those acts of devotion and generosity of the children of Europe for the abandoned children of his country touched his heart. They also served as a means to stimulate the zeal of his Christians. On arriving in each Christian settlement, he hastened to relate to his people anecdotes of the children of the great West. He showed them how the little children of countries so far from them loved the children of China. He recalled those examples of zeal, of charity, of ingenious industry, of which he had himself read in the *Annals*. We ought to cover our faces, he would say, if, seeing all the works of charity done by the children of Europe for our Chinese children, we do not oblige ourselves to give also some sapecs to aid the Holy Church in saving the souls and bodies of these unfortunate children whom the pagans abandon at their birth. Where is the family who cannot give to their little child five sapecs each month, causing him to participate in the merit of this good work, and drawing down upon him the blessing of our dear Lord? Language so persuasive touched all hearts, and caused the good Christians in easy circumstances to make their children Associates of the Holy Childhood. It was in this way that this excellent Fr. Ou-Vincent made every year a good collection. The last time I had the happiness of seeing him, he was quite proud of his great success. He said to me: "The next year I hope to double my receipts, not only for the Holy Childhood, but also for the Propagation of the Faith"; for he occupied himself with both these works at the same time. But God had decided otherwise. He is gone, with the martyr's palm, to gather the fruits of his zeal and devotion to the ransom of these abandoned little ones. How impenetrable are the designs of God! Fr. Ou-Vincent was rather unwell, or perhaps fatigued with the labours of his mission. He required rest. As his district joined that of Tien-tsin, he had gone to that city, not only to rest, but to aid Fr. Chevrier with his catechumens. He had been there scarcely a month when he was included in the lamentable massacre of the 21st June. During three months we were in a state of alarm, not knowing if each night or the next day we should have to pack up and conceal ourselves. Now, thanks to God, peace is restored, and our missionary labours go on in their usual way. Recommending

myself to your prayers, I am ever, in the love of our Lord and of Mary Immaculate,

Your respectful and devoted servant,

THIERRY, Miss. Ap.,
Pro-V. A. of the Province.

Letter of Bishop Verrolles, of the Society of Foreign Missions, V. A. of Manchouria, to the Rev. Director.

St. Herbert, at "La Passe du Cerf", 1st April, 1869.

You ask me, Rev. Sir, for some details regarding our dear children, for our little associates of the Holy Childhood. Alas! too much has already been written about China. What can be said regarding this unchangeable and monotonous country, which has not been repeated over and over again? Progress is being made, but slowly, and without any striking incident. Since the departure of the brigands we have enjoyed a perfect calm. But what cannot be too often repeated to our dear associates of the Holy Childhood is this—that they ought to thank God every day that they have been born in a Christian country, in our beautiful France, "*the most beautiful kingdom*", said the great Pope St. Gregory, "*after that of heaven*". What an inestimable gift is that of faith! We have already said a great deal regarding the "family" in China. We will say something more on this subject. In all pagan countries, and without any doubt in China, the pagan country *par excellence*, such as it was made by Confucius and his false sages, the family preserves its appearance, its form: but we may say that this is not generally a reality. The wife is not at all the companion of her husband. She is his slave, whom he loads with maledictions, and whom he strikes at his pleasure when he is annoyed. Then comes the mother-in-law (phe-pho), who acts in the same manner. The consequence of all this is, that many poor women in China hang themselves at the door of the nuptial chamber, in order to ruin the husband and the mother-in-law by bringing upon them a visit from the mandarin. They are not able to free themselves for a less sum than from ten to twenty pounds. The mandarins are far from putting themselves to any trouble, or travelling for the love of God. Should there be in the house a well

sufficiently deep, sometimes the poor woman throws herself into it. This is a variation from hanging. Here the woman seldom calls her husband anything but *he*, as we would say *thing*. She waits upon him at table, and does not eat with him. After a journey, when he returns home she turns her back, so as not to see him. But we will leave these details. Alas! we are in the midst of paganism, "*sine affectione*", as the Apostle said. The relations of children with their parents are on the same system; many forms, and very little besides. Among these people the young daughter does not, in any case, salute her father or her mother, but the daughter-in-law salutes her father-in-law and her mother-in-law.

It may be already understood that education among these people is not understood. The children do whatever they please: they cry, they shout, storm, and bluster as they please; go and come with whom they think fit; and for the rest, drag themselves along as well as they can. The father never troubles himself about them; it is not, in general, his affair. The mother, cross or impatient, wishes death to her child, and loads it with maledictions. On some occasions the father is irritated, and does the same thing. Both parents call their children by what they designate *the pet name;* for example, *dog*, or *tiger*, *panther*, etc., and other appellations of the same species. The axiom so well known to the pagan poet, "*Maxima debetur puero reverentia*", is ignored in the Chinese family. You will see a child of four or five years of age: he has not yet, perhaps, learnt to form an idea of morality, but he knows perfectly all the vocabulary of maledictions, of bad words the most disgusting; it is even his habitual language. On the festival days—for example, on the Chinese New-year's day—when they go to pay a visit, or even to the play, you will see the children carrying on their heads caps made in the shape of the heads of tigers, wild cats, etc., with bells attached. They are daubed and streaked in a thousand different ways; all this, be it understood, over their rags, more or less torn, for they never change them, and they are filled with certain parasitical vermin. It is amusing to see them strike themselves and twist about in this dress, in which they are bundled and tied up like faggots. On this festival they are, however, somewhat cleaner, but, generally speaking, they are remarkably dirty. Rich, middle class, poor, all are alike in this respect.

The child grows up; he goes to school; but there, as at

home, he is not taught a shade of moral knowledge. From morning to night the pupils read, in a loud voice, *each one his page*. It is who can speak the loudest. Each one has his own page, each differing usually from that of his neighbour. "You fatigue these children", I one day said to a certain master; "why do you let them scream so?" "But the louder they scream", he replied, "the more deeply does the science enter". Poor children! When at last there is silence, it is for writing. They begin at first by tracing. In the morning they recite their lesson, turning their backs to the master. Let them beware of the strokes of the bamboo. The master has full liberty to strike as much as he pleases, and he uses it freely. What is learnt by these children during so many years—it may be from fifteen to twenty—is of very little importance, and comprises very little knowledge. In a word, one of our dear children, one of our little associates, after two or three years in a preparatory school, has more knowledge than all the laureates of China. I do not speak of God, the creation, or our duties to God, the end of man—things of which none of these people have any idea—but of all kinds of human science, arithmetic, history, geography, natural history, astronomy, etc. The oratorical compositions (men-tchang), the *ne plus ultra* of the more advanced, are the development of a proposition, of an axiom, of an adage drawn from Confucius or any other philosopher, a sort of amplification based on the books which they have chanted and interpreted during so many years. When this composition is not burlesque or absurd, it is almost always frivolous. And how can it be otherwise? They write, think, and speak according to their books, overflowing with anecdotes, stories, absurdities, the whole seasoned, stuffed, with precepts of a weak morality, uncoloured, without any authority; in a word, without God: precepts which often call to mind (may I be allowed the comparison) the *truths* of a certain M. de la Palisse. It is a cloudy mysticism, a sort of pantheism, which does not touch the heart, together with a haughty and serious pedantry which causes one to laugh. And these are the preceptors who form the Chinese, and who have made them what they are—pagan above all, proud, with an infantine frivolity, far removed from the kingdom of God and of His Christ. Paternal authority in China is supreme: the father has the power of life and death over his children. Their filial piety it often spoken of, whilst now this virtue, like all the rest, is external and super-

ficial rather than real. When the head of the family, the father, is over sixty years of age, *the old man*, as he is called, often becomes a nonentity, and the son rules and directs everything. As to the old man, he has no longer any voice in family affairs, except formally. He is sent out on the high road to follow the carts and collect the droppings of the horses. He is good for nothing else, say the sons, and they often parsimoniously limit his nourishment and his clothing. Then, when upon his death-bed, from the time that the Hippocrates has intimated that he cannot cure him, the old father (y-pia) remains there, neglected and forsaken by all. And from the time when he can no longer eat, like the others, maize, rice, or millet, the offals of the family, all is over. What do they then give to the *old man?* Nothing; sometimes only a little water. In this manner he languishes some days longer. And this old father, grandfather, great-grandfather, sees perhaps three generations who pass and re-pass by the side of his wretched bed, and leave him there dying of hunger often! And this is the much-vaunted Chinese piety! After the doctor has ceased to prescribe remedies—that is to say, to make him take medicines, pills, which are nearly the only remedies known to the Chinese—the sick man is no longer cared for; his friends are occupied in arranging the funeral, preparing mourning dresses, a coarse unbleached cloth, details of the interment, without forgetting the fat pig, the necessary basis of all Chinese feasts and of all their entertainments. And if, perchance, the good old man does not soon end their anxiety by dying, if he have what they term a hard life, they very soon take him from his bed and place him on a hurdle, where he dies, if not by hunger, by cold, and he is thus got rid of. Scarcely has the poor old man closed his eyes, when the family assemble, and press around his inanimate remains. This numerous race, these three or four generations, who have been the pride of his life, and by whom in his latter days he has been so ill taken care of—every one, great and small, weep, lament, cry out, utter sobs which would rend your heart. This lasts about half an hour. Then each one returns to his business, eats, drinks, laughs as usual. The ceremonies are observed, honour is saved, long live Confucius! It is, then, the faith alone, the religion of Jesus Christ, the Saviour and Restorer of degraded humanity, that can, I boldly repeat it, civilize nations, and promote their hap-

piness, even in this miserable world. *Beatus populus cujus Dominus Deus ejus!* I have the honour to be, Rev. Sir,

Your very grateful and humble servant,

✠ Emm. Verrolles, V.A. of Manchouria.

AFRICA.

MISSION OF MADAGASCAR.

*Report of Rev. Fr. Youen, S.J., Pref. Ap., to the Director, and to the Members of the Central Council of the Holy Childhood.**

Tannarive, 20th March, 1871.

Rev. Sir and Gentlemen,

The gratitude which we owe to you, and the interest which you do not cease to take in this little Malagese Mission, make it my duty to acquaint you with what is going on here. If I do not acquit myself of this duty worthily, it is less from want of good will than from numberless occupations which multiply as the mission extends, and also from the infirmities which accrue with age. So, that you may better understand our situation I will go back to the accession to the throne of Radama II., in 1868. Since that time many events have occurred in Madagascar, which denote that a kind of revolution is taking place, not exactly a physical revolution, aided by gun shots, as with you in Europe, but a moral revolution, in ideas, in customs, even in the principles of government. I wish to speak of a number of innovations suggested by the Methodist missionaries, adopted by the queen and her councillors, and which tended to nothing less than to protestantize the whole island, and which, at one time, caused us the most serious uneasiness. But, thanks to Him whose province is to draw good from evil, far from preventing the propagation of the true faith, all these innovations have served only to favour its development, and of this you may become convinced by the following exposition:—

1st. One of the greatest obstacles, unquestionably, to the

* We have just heard of the death of Rev. Fr. Youen, and we earnestly recommend this worthy missionary to the prayers of our associates.

diffusion of truth is the worship of idols, which was still continued in all the towns and villages, but, above all, in the capital, where the old queen, Ranavalana, who had in them unbounded confidence, sheltered them under her royal protection. These idols, or "sampy", as they are called in this country, had their temples, their guardians, and their priests, who were so much the more interested in maintaining their worship, because by this means they obtained profit and consideration. In presence of all these old superstitions, so deeply rooted in the mind and heart of these poor infidels, we often asked ourselves how it will be possible for us to triumph over them. But what has happened? It is that the English preachers, not less desirous than we are to see these fetishes disappear, have so influenced the queen and her ministers, that they have ended, by strength of argument and promises, in obtaining a royal edict that all the "sampy" and their temples should be destroyed throughout the kingdom, and that whoever shall preserve them secretly shall be put to death. There was no delay in the execution of this edict. Officers were immediately sent in all directions with orders to throw down and break every object of idolatrous worship. The work was done with the rapidity of lightning, and without any previous preparation, and even occasionally with a violence which has raised the indignation of the Malagese, especially of the old people, in such a way that many villages were soon turned towards the Catholics, because they knew them to have had nothing to do with this order for the destruction of their idols.

2nd. A second obstacle, not less formidable than the first, has also fallen beneath the blows of Anglican Protestantism; this is Sunday labour. There is nothing astonishing in this violation of the Lord's day, since, from time immemorial, all these poor islanders have lived in the most profound ignorance of the law of God and His divine commandments. The first Protestant missionaries, it is true, had earnestly sought to abolish this deplorable custom; but if it had for a moment disappeared under Radama I., and in the single town of Tananariva, it quickly revived under Ranavalana, and the markets on Sunday, in particular, became more numerous and more frequented than ever. They were held over the whole extent of the island; people came long distances to sell and buy all kinds of productions and merchandize, wood, rice, cloth, poultry, sheep, oxen, etc. The cultivation of the fields and the rice plantations was attended to on Sunday equally with any

other day. Hence, the enormous difficulty, especially in the country, of drawing together the people in the church, to instruct them, and teach them the truth. This difficulty the Methodists felt not less than we did, but, more bold and enjoying the favour of the government, they were not slow to obtain a second decree, interdicting under the most severe penalties all kinds of labour on Sundays, without exception, cultivation and planting, holding of markets and bazaars, selling in the streets, opening of shops, etc.; and this decree extends not only to the capital, but to the entire island, in such a manner that at the present time, I say it to the shame of Catholic countries, there is, perhaps, not a country where the Lord's day is better kept than in Madagascar, as far as absence from manual labour is concerned. I know very well that the heart is far from being satisfied with this rigorous observance of the law; but, indeed, material and servile as it may be, this observance is always a benefit, and there is room to hope that with time, instruction, and divine grace, the people will become more enlightened, and their obedience more filial and meritorious. We owe, then, thanks to our Protestant brethren for this important result obtained, a result which will necessarily facilitate for our Malagese opportunities for assembling, at least on Sundays, to hear the teaching of our holy religion. It is, however, to be regretted that this second decree, which is essentially Protestant, contains prohibitions singularly severe. It is thus forbidden to procure on the Sunday things of the first necessity for existence, to go even to the fountain to draw water to drink. Woe to him who may be taken in *flagrante delicto;* he is nearly sure to have his pitcher broken on his head, for this has happened to several. It must be acknowledged that all these decrees of an excessive and purely pharisaical severity, have singularly depressed our Malagese. So that we have seen, and daily see them, present themselves at the Catholic Church, where they are certain to find much more indulgence, kindness, and pity.

3rd. There are two other measures always suggested by the Methodists, which have contributed not a little to draw to us a number of adherents. The first is the obligation of prayer, imposed by the queen and her ministers on all the Malagese; the second, as a natural consequence of the first, is the obligation to construct chapels in all the villages and throughout the island of Madagascar. Regarding the obligation to pray, it was passed over without much difficulty, as each one has

enjoyed up to this full and entire liberty; but that of building chapels has caused great irritation, inasmuch as all these buildings are at the cost of the people, and must be done at their expense. This was the order of the queen, or rather of the ministers who govern her, and of the officers of the palace, who travel in every direction to see that these orders are executed. In general, the Malagese is not rich, especially in the country, but his capacity is not less great; and the stupor and consternation of these poor people may be imagined on seeing themselves condemned either to spend money, or to furnish, by drudgery, all the indispensable materials—such as stones, wood, bricks, slates, etc. It is then they think of us, they say to themselves: "The fathers built their own houses, churches, and schools; they require no money from any one, either for themselves or for the teaching of our children. All are admitted to their instruction and their prayers—great and small, poor as well as rich, free as well as slaves: among the Protestants, those only who are great, and wear beautiful *lambas*, have the right of *entrée;* among Catholics, on the contrary, the door is open to all without distinction, and none are excluded; we shall therefore go and pray with the Catholics". And thus their resolution is taken. Such was the beginning of the general movement which has brought, and still brings us continually, numbers of people; and thus God has mocked at all the combinations of heresy, and turned them to His own glory: for it is very evident that in all the measures to which I have referred, the sect has but one object, which it has steadily kept in view from the beginning, viz., to Protestantize Madagascar, and make Methodism the state religion. They reckoned upon this the more, as they already had gained over the queen, the premier, and the principal chiefs. There must have been great disappointment among the whole sect of Methodists when the fathers were everywhere called upon to teach and exercise their holy ministry; but the circumstances which have especially irritated the Protestant ministers has been to see that, wherever the Catholic Missionary has appeared, their chapels have been deserted, and all have hastened to listen to the fathers.

4th. The father of lies has just invented a last stratagem to stop this enthusiasm: secret agents have been sent all through the island, who go about, whispering in a mysterious manner that the fathers are about to be driven out of Madagascar, that the queen will not allow Catholic prayers, and that every one who

will not pray with her will be regarded as a rebel, and punished accordingly, etc. Happily the French treaty is in existence, stipulating for the full liberty of conscience for all the queen's subjects. This liberty Ranavalana herself recognised—not only recognized it, but proclaimed it solemnly in the presence of all the people. The premier has also himself repeatedly acknowledged it in his speeches and his letters; consequently, it is very easy to refute all these falsehoods and calumnies; but it is much less easy to reassure our poor Malayese, who always imagine themselves to be under the blow of the *sagaie* or the knife, and hence the necessity of our frequent visits to support and encourage them: be it so. A thousand times blessed be the Infinite Goodness, which has caused His work to prosper through all these difficulties, and has even used them for its development!

5th. This is the place to enter into a few details regarding this mission, and its rapid developement. Not long since, one of our fathers said to me, with some sorrow in his heart: "It is as if we are scarcely known in the capital!" "Patience", I replied, "God did not create or redeem the world in one day; and if it be true, as we have no reason to doubt, that He has planted the grain of mustard seed, He will make it grow; and we have only to pray, to water, and to wait with confidence the time of the Divine mercy". It would seem that the hour has already come, if we may judge at least from the following results. In 1863, we had only one church at Tannarive, and this was only a simple building, which could not contain more than two or three hundred people; now, we have four or five churches, where, every Sunday, several thousands of Christians and catechumens present themselves. A year or two ago, we were completely unknown in these countries; now it is difficult to obtain priests. We already serve more than forty parishes or stations, and every day new requests are made. Only yesterday some chieftains arrived after three or four days' journey, to beg for a Missionary to instruct them. Is this not a sign that God does not forget His grain of mustard seed, and that He has been pleased to bless it? Unhappily, our resources being so limited, and our number so small, we are obliged for the present to put off a number of applicants, and to establish ourselves in the nearest and most populous centres.

6th. Not only does God bless this little Catholic mission, but, although permitting it to pass through the crucible of

trials, He reminds us that it is His work, by fearfully punish-
ing those who persist in opposing it. I shall mention but on
fact, which the whole of Tannarive has witnessed. Amon
our bitterest persecutors are the three principal heads of th
government. I except the premier, who, without being fa
vourable to us, has never been openly hostile. I say nothin
of the queen. These three chieftains have opposed the propa
gation of the faith in every possible way, especially when the
perceived the enthusiasm of the country in our favour. Amon
them there was one who led the van, and into whose soul th
genius of evil seemed to have infused all his rage. Day an
night, escorted by numerous attendants, he traversed the vil
lages, either to oppose the building of Catholic churches or t
prevent our adherents assembling. The chiefs were especiall
the object of his persecution, because he was aware of the
influence over the people, so he took every means to paraly
their action. At one time he used money and promises, a
another threats of imprisonment, degradation, and even deat
But this new Paul was especially characterized by his hatre
of the Blessed Virgin. Her name and the sight of any honou
paid to her were sufficient to make his heart swell with rage
One day, perceiving that one of his Catholic slaves wore, at
tached to the neck, a scapular and a rosary, he violently to
them away and hung them round the neck of his dog, to th
great amusement of his partisans present at the scene. Bu
punishment soon followed this sacrilegious act. The sam
night the dog, a beautiful Newfoundland which had cost mo
than fifty *piastres*, and to which he was deeply attached, sud
denly expired. This was only the prelude of the Divine ve
geance. Soon the persecutor himself was attacked by a strang
malady, which caused blood to flow from his nose, his ear
and his mouth; the whole of his body was covered with
kind of ulcer. Some months after, he expired of madness
the midst of the most frightful convulsions, and uttering suc
cries that even his slaves themselves were obliged to fly awa
It is thus that Jesus avenged, in an exemplary manner, H
Mother's honour, and delivered us from our most furio
enemy. This tragical event has produced a most profou
impression on all our Christians. There is no one who h
not recognized in it the finger of God, always ready to pard
when He Himself only is attacked, but seldom indulgent
the outrages committed against His Blessed Mother. Sin
that time the greater number of the chiefs have regained th

courage, and the people are become more anxious than ever to petition for the Fathers to come among them.

7th. I will finish, Rev. Sir and Gentlemen, by a short explanation of the steps we have taken to enable ourselves to satisfy all, and to respond to the numerous demands which are addressed to us from all sides. Every Sunday, in places where there is already a band of Christians, the Father missionary goes to say mass and teach the catechism. After breakfast, the journey not being too long to fatigue him, he repairs to another station, and often to a third. In this consists the great difficulty of the missionary, because, for the most part, these points are very far from each other, and can only be reached by very bad roads. In these excursions he is attended by some children, who go before him and prepare the way. The mission of these young catechists is to teach the prayers and the principal dogmas of the Catholic faith, and also the hymns. The Malagese in general are passionately fond of chanting, and it is a powerful means of drawing them to our churches. Besides these young catechists, who form a flying camp, sometimes on one point, sometimes on another, to teach the first elements of the Christian doctrine, we have also our schoolmasters and schoolmistresses, who have a fixed position, whose first duty it is to labour in the instruction and training of children. This institution, particularly destined to increase our small number, is yet in its infancy, but we have full confidence that, by the aid of God, it will be developed, and, when disseminated throughout the island, will contribute not a little to implant the faith and morality. Our principal end being to form, above all, good Christian settlements, experience has shown us, and every day shows us more and more, that it is not enough to run hastily from one village to another, but that it is quite necessary for the missionary to reside in each a certain time, so that he may better know his people, and instruct and prepare them. Hence, as a rule, we give to the small missions fifteen days or three weeks, sometimes in one place, sometimes in another. We choose for this work the winter season, when the Malagese are more or less free, and less occupied with their labours and their rice-fields. It is then that the missionary assembles them at the most favourable hours, and, aided by his catechists and schoolmasters, applies himself in a special manner to instruct them and teach them the truths of our holy religion, following the method of St. Francis Xavier. Then come the baptisms and the first com-

munions, to which we endeavour to give the greatest solemnity
I call to mind that formerly I was a little laughed at in Bourbo
for my zeal and ardour in forming musicians. To-day we ar
reaping the fruits, and you would smile if you could imagin
the effect produced by our music, especially in the countr
and on the days of our solemn ceremonies, such as the openin
of churches, baptisms, first communions, confirmations, etc.
is not enough to form missions; the important point is
maintain them in their good resolutions; hence the continu
journeys of our poor country missionaries in their several di
tricts, generally on foot, the water sometimes reaching mid-le
and by roads "where God has never been", to use the pi
turesque expression of a Marseilles captain. These journe
are indispensable to fortify our neophytes, and to strengthe
them against all the snares which are ever spread for them
it is then quite necessary that the guardian of the flock shou
watch night and day to drive off the wolf, and to prevent h
entering the fold.

8. Notwithstanding the great length of this letter, you w
allow me, before I end, to say a word to you regarding o
schools. I know all the interest you will take in them, b
cause you see in them the germ of the harvest and the ho
of the future. I am very happy to be able to announce th
all these schools continue to prosper, thanks to the zeal a
devotion of our good Sisters of St. Joseph of Cluny and o
dear Christian Brothers. Besides these classes, properly
called, we have also our workshops, directed by our l
brothers, where every day a number of apprentices prese
themselves, who, whilst working as smiths and carpenters,
not neglect to learn their catechism and train themselves
piety. It is easy to see that all these new-born institutions a
not pleasing to the devil, and that he fears from them impo
tant results, for he takes all sorts of measures to destr
them. Without speaking of a kind of masonic oath by whi
the heads of families engage themselves to prevent their ch
dren from frequenting the Catholic schools, the English ha
discovered a process much more efficacious to hinder the
and this was to build in the centre of the capital an immen
college, where all the sciences are to be taught, the languag
living and dead, to be spoken, with special courses of study
the law, medicine, chemistry, all crowned by a special ch
where are to be given several times each week lessons in ag
culture, social and political economy. We even hear of

ministrative and governmental science; in short, according to the programme and opening discourse, pronounced by the first minister himself, Madagascar, thanks to this new athenæum, will become a centre of light, where the whites themselves will be the first to hasten to perfect their knowledge and complete their education. Behold the poverty which the Methodist teachers are not ashamed to confess to their savages. Happily, ignorant as he is, the Malagese does not want good sense, and he is not slow to perceive that all this is only a means to throw dust in his eyes, and to obtain all the children, to bring them up as Protestants, and at the same time destroy the Catholic schools. Precisely the contrary has happened, that is to say, that after one or two months' trial, many parents, seeing that their children learnt nothing in this famous academy, except a spirit of independence and pride, and where also they were obliged to pay a monthly contribution, hastened to take them back to the classes of our dear brothers and sisters. "There at least", they say, "they learn something, and return to us more submissive and obedient".

9th. The public examinations which are held from time to time, contribute very much to the advancement of our schools, since the great officers of the palace are invited to them. Our scholars, especially, love to appear in these modest literary combats, and to display the vivacity of their minds in charming little dialogues, generally composed by themselves, and in which they treat of the different branches of instruction which they are taught—reading, writing, catechism, sacred history, mathematics, geography, drawing, etc. You would smile, could you form an idea of the magical effect produced upon the numerous audience, and especially upon the hearts of the parents; all these little exercises are varied with songs and music, and accomplished with imperturbable gravity. The needle-work of the little girls in particular has the privilege of exciting in a high degree the interest of the queen; not only does she compliment it, but, after the public exposition is ended, she asks to have it taken to the palace, where she can see and admire it at her leisure. These solemn expositions have then the great advantage of making our schools known, and there is not one who attends them, however prejudiced he may be, who is not quite convinced of their superiority, from the aspect of scientific instruction, as well as from that of moral education. After this relation, it only remains for us to say with the prophet king, "*Non nobis, Domine, non nobis,*

sed nomini tuo da gloriam!" Yes, glory and gratitude to the adorable Heart of Jesus, whose solicitude for this little Catholic mission reveals itself in such a touching manner, and Who is pleased to make it triumph over all the obstacles which are without ceasing, placed in its way by the world, hell, and heresy! Glory and gratitude to our Divine Lord for the zeal and devotion with which the poor labourers in this vineyard are inspired! but, above all, thanks for the spirit of union, of peace and perfect harmony, which He deigns to maintain among them! For I have the sweet consolation to be able to tell you in concluding, that in the midst of our troubles we have all only one heart and one soul, *cor unum et anima una*, to work, suffer, and wait in all confidence and humility. I am, with the greatest respect and most sincere gratitude, Rev. Sir and Gentlemen,

Your very humble and obedient servant,

L. Youen, SJ.

Indulgences.

By virtue of a Rescript, dated 11th January, 1851, wherein His Holiness Pope Pius the Ninth confirmed and enlarged the Rescript of 10th January, 1847, and those of Gregory the Sixteenth (of immortal memory), dated 17th March and 2nd May, 1846, the following Indulgences are accorded in perpetuity to the Associates of the "Holy Childhood", wherever they may live, with the usual conditions of Confession and Communion, and praying for the success of the Holy Childhood.

1. A Plenary Indulgence, to be gained from the Festival of the Nativity of our Lord to the Purification of the Blessed Virgin.

2. A Plenary Indulgence, applicable to the Souls in purgatory, to be gained from the Second Sunday after Easter to the end of May.

These Indulgences may also be gained by assisting at the Holy Sacrifice offered for the Society, *and even by Children who have not made their First Communion*, a Dispensation having been granted by His Holiness.

3. A Plenary Indulgence on the Festivals of the Patrons of the Society, viz, 21st November, Presentation of the Blessed Virgin; 2nd October, the Festival of the Guardian Angels; 19th March, the Festival of St. Joseph; 3rd December, Feast of St. Francis Xavier; and 19th July, Feast of St. Vincent of Paul; on the conditions prescribed by the Sovereign Pontiff.

4. Partial Indulgence for a Year, to be gained by the members of the Council and Committees of the Society of the "Holy Childhood", already instituted, or to be instituted.

As all the accounts of the Society are made up in Paris on the 31st of *January*, persons are earnestly requested to send in their subscriptions to the Treasurer or Secretary not later than the second week in January of each year. Any subscription, therefore, reaching the Treasurer or Secretary *after* the second week in *January*, will be too late for that year's report.

RULES OF THE SOCIETY

OF

THE HOLY CHILDHOOD

1. Ages of admission, from Baptism to the age of twe one. After that age any person wishing to continue a mem capable of gaining the Indulgences, must also be a membe the Society for the Propagation of the Faith.

3. Others, not members, are earnestly requested to help Society by their donations and subscriptions.

3. Every member to say daily, "O Divine Child Jesus! us and all other poor children, especially those of Pagan Pare "O Virgin Mary and St. Joseph, pray for us and them". Hail Mary.

4. To pay one half-penny a month, or 6d. a year.

5. The objects of the Society are, 1. To procure baptism heathen countries for Infants in danger of death. 2. To those that can be saved. 3. To educate them in existing Sch and Convents. 4. To found new ones.

6. Two Masses a month will be said for all members, particularly for those who have not yet made their first C munion, also the Mass of the Holy Infancy during the Oc of the Epiphany. 2. One Mass in the second week after Ea for all deceased members. 3. With every half-crown th sent to China, one Infant may be bought. He or she is t educated a Christian.

J. F. Fowler, Printer, 3 Crow Street, Dame Street, Dublin.

Encl Adv Jany 25 – Ask Mr Bardan

(Copied)

No 211

RECEIVED
JAN
23
1873
DEPT OF STATE.

Legation of the United States

Peking, November 23, 1872

Frederick F. Low

to

Department of State

FOREIGN DESPATCHES

Subject

Missionary trouble at Hangchow.

Reports that all the men arrested have been released, and that there are no fears of further trouble at present.



No 211

Legation of the United States
Peking, November 23, 1872

Sir:-

Referring to my N° 202 of 28th October last I have now the honor to inform you that the Consul at Ningpo reports the release of all the natives that had been arrested at Hangchow for being concerned in the sale of property to missionaries. From the same and other sources I learn

Hon Hamilton Fish
Secretary of State

learn that all is now quiet, and that the missionaries anticipate no further troubles, - for the present at least.

It appears that most of the men arrested were required, as a condition of their release, to give bonds for their future good behavior, and from some a fine was exacted in addition to the bond. Whether the conditions imposed were real or only nominal, I have no means of knowing certainly. The British Consul at Ningpo is of the opinion that certain conditions seems to the officials necessary

to

to make it appear that the men were arrested on charges other than selling property to foreigners, but that there is no intention of compelling the payment of fines or the making of bonds. Upon this point Mr Consul Lord expresses no opinion.

I have the honor to be
Sir,
Your Obedient servant
Frederick F. Low

Ext Appears reply Jan 25 act E. Mr Bodan

No 217 Two Enclosures

DEPARTMENT RECEIVED JAN 23 1873 OF STATE

Legation of the United States

Peking, November 29, 1872

Frederick F. Low

to

Department of State

Subject

Detention of the Bark "Maria Luz" in Yokohama and the release of the coolies.

Encloses translation and copy of notes that have passed between himself and the Foreign Office with reference to this case.

No 212 Two Enclosures

Legation of the United States
Peking, November 29, 1872.

Sir:-

In June or July last the Peruvian Bark, "Maria Luz", with between two and three hundred Coolies on board, bound from Macao to Callao put into Yokohama in distress. While lying in that harbor the Coolies, who charged that they had been abducted and were unwilling emigrants, brought their complaints to the attention of the Japanese Government. Hon Hamilton Fish Secretary of State

Government. The vessel was detained and an investigation ordered, which resulted in the liberation of the Coolies and the turning of them over to a Chinese official sent by the Government here, who returned them to Shanghai.

What part the American Consul at Yokohama took in the case I am not aware. A full report of the case, and of the Consuls proceedings, has undoubtedly been made to the Department by the Legation in Japan.

Some days since I received a note from the Minister

Ministers of the Foreign Office giving a brief statement of the case, and acknowledging with thanks the assistance which they say the Consul rendered. A translation of the note I have the honor to send herewith (Enclosure No 1), and my reply (Enclosure No 2). A copy of the Yamens note has also been sent to the Consul Shepard Yokohama.

Within the last six months more activity has been shown to stop kidnapping and break up the Coolie traffic than ever before. The officials at and near Canton seem to be

Specially

specially in earnest about the matter. All vessels and steamers going to Macao are searched, and nearly fifty persons charged with the crime of kidnapping have been executed at Canton recently. The sending of an official to Japan to attend to the "Maria Luz" case furnishes additional evidence that the Government is really anxious to stop the nefarious traffic.

All that this Government needs, to render the action of its officials effective, is the sympathy and moral support of the Chief Treaty Powers. That my despatch of June 14th has exerted an

influence

influence for good I have abundant evidence. To that more than anything else may, I think, be attributed the recent activity of the Governments. Imperial and provincial.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Enclosures

No 1 Minister of the Foreign Office to Mr Low, November 15, 1872

No 2 Mr Low to Prince Kung November 29, 1872.

Enclosure No 1
Despatch No 212

The Ministers of the Tsung-li-Yamên to His Excellency the Minister of the United States.

Some time since the Superintendents of Trade for the Northern and Southern Ports reported to us that they had been informed by the Intendant at Shanghai that a Japanese official named Chêng Yung Ching had called at his Yamên to say that there was a Peruvian vessel at Yokohama, having on board more than two hundred kidnapped Chinese. that the Japanese Government had detained the ship with all on board, and that the local officials, in conjunction with the American Consul at that port, had instituted an examination into the whole affair, and had taken the depositions of the passengers and crew. A report of their proceedings and their conclusions had been made to the

the

the Emperor.
On receipt of this intelligence a deputy appointed by the Superintendent of Trade for the Southern Ports, accompanied by the American Interpreter McCarter, and the Japanese official who furnished the information, proceeded at once to Yokohama to look into the case and see that it was properly adjusted. Upon their arrival arrangements were immediately made by which the kidnapped people were returned to Shanghai, to the end that further and more definite enquiries might be made, and each be sent to his own home.
It appears that Macao has long been the headquarters for kidnapping men to be sent abroad. In the present instance the crew, as well as the Coolies declared that they

they came from Macao.

After the vessel and all on board had been detained at Yokohama by order of the Japanese Government, Your Consul at that port manifested the same solicitude and regard for the people on board, as though they had been his own countrymen. He in company with the other officials, brought the case to a proper issue, and succeeded in liberating those poor people and sending them back to their homes.

This action on the part of American officials is satisfactory in the extreme; it is a new and complete manifestation of the sincere friendship and good will now so happily existing between the two nations, and accords entirely with Your expressed desire to rescue and save our people from harm.

I o

To acknowledge our obligation and express our thanks is the purpose of this note.

Peking November 15. 1872.

Enclosure No 2
Despatch No 212

Legation of the United States
Peking November 29 1872

Sir:-

I have had the honor to receive from their Excellencies, the Ministers of the Yamen a note informing me that through the interposition of the Japanese Government, more than 200 kidnapped Coolies had been rescued from a Peruvian ship in Yokohama; that as soon as the Superintendent of Trade for the Southern Ports heard of the affair he sent a deputy to Japan who took charge of the men, and sent them all back to Shanghai. The Ministers also say that the American Consul at Yokohama took a lively interest in the matter and aided not a little in effecting the liberation and return of the kidnapped people.

The intelligence contained in the Yamens note is as gratifying to

To His Imperial Highness
Prince Kung.

to me as it will be to my Government when it shall have learned the facts.

It is satisfactory to know that the unjust designs of those who owned and controlled the Peruvian ship have been frustrated, and that the American Consul acted in obedience to the settled policy of the Government of the United States and the dictates of humanity in rendering such aid as he could lawfully and consistently.

In this connection I may be permitted to observe that much credit is also due to the Agent of the Viceroy who went to Japan. Whether he is entitled to some token of Imperial favor for his prompt and energetic action in the case is a matter for the consideration and decision of the Government.

If what I hear in regard to the recent action of the officials in Kwangtung be correct it would seem that kidnapping has been

partially

partially broken up, and that the criminals are being dealt with in a vigorous yet just manner.

I indulge the hope that there will be no relaxation in the efforts of the officials to put an end to the nefarious traffic in human beings. It will afford me pleasure to render the Government all the aid in the direction indicated which I can consistently with my duties, as the Representative of a friendly Power. The Consuls at all the Ports have strict orders to do the same.

An instance occurred not long since which illustrates the watchfulness of our Consuls. An American ship came to Swatow, ostensibly to take free emigrants to the United States, but really to take hired Coolies to Peru. When the Consul became aware of the fraud, he prevented the embarcation of

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the Coolies, and arrested, tried, and punished the agent for fraudulently attempting to violate the laws of the United States prohibiting the transportation of Coolies in American Ships.

But while my Government discountenances, and would be glad to see broken up, kidnapping and other kindred practices, and looks with disfavor on forced emigration to Countries where the laborers are held in practical slavery it regards free and voluntary "immigration and "emigration", in accordance with the provisions of the 5th Article of the supplementary Treaty of July 28. 1868, as beneficial to the Government interested, and also to the people who go abroad. Thousands go to the United States in this way annually and about the same number return. Those who go are allowed to engage in all lawful employments,

make

make their own terms about wages, and receive the full reward for their labor.

No hindrance is placed in the way of their return, and many who come back bring large sums of money which they have earned abroad. All this goes to prove that free emigration instead of being objectionable, is advantageous and should not be discouraged.

I have the honor to be
Your Imperial Highness
Obedient Servant
(Signed) Frederick F. Low

Ack Feb 25 Ack'd

Mr. Barlow

No 213



Legation of the United States

Peking, December 5, 1872

Frederick F. Low

to

Department of State

Subject

Receipt of Department dispatch.

Acknowledges receipt of dispatch of 21st October with its printed enclosures.

No 213

Legation of the United States
Peking, December 5, 1872

Sir:-

I have the honor to acknowledge the receipt of your dispatch (without number) of the 4th October, with two printed enclosures.

I have the honor to be
Sir,
Your Obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

Encl

Acting

Mr. Bedini

Act

Confidential

No 214



Legation of the United States

Peking, December 10. 1872

Frederick F. Low

to

Department of State

Subject

Revision of the German treaty and the Audience Question.

Gives a summary of the German Ministers views upon these questions,

as to the changes that would be sought; it was also not improbable that he would be possessed of the views of his Government with reference to the policy to be pursued when the Regency shall cease and the Emperor assumes personal authority.

Recently I have had several interviews with my German colleague, at which the questions referred to were discussed with great freedom on his part, and with apparent frankness. Coming as he does direct from Berlin it is to be presumed that the Minister expresses the views

views of the German Government; hence they may not be without value to the Department.

As much of our conversation was of a private and confidential character I have to request that this despatch may be considered a confidential communication.

With reference to treaty revision, it does not appear that that the German Government has given any explicit instructions:- that whole question is left to be dealt with by the Minister according to his own judgment; nor is he furnished with written instructions as to the course he shall

shall pursue after the change in the control of this Government occurs, in February next.

Concerning treaty revision, the Baron thinks it unwise to make an effort in that direction until a solution of the questions likely to arise out of the Emperors assumption of authority shall have been reached;- that unless relations of equality can be established between the Treaty Powers and China all attempts to gain further commercial advantages through treaty revision will prove futile; that when once the proper status of Western nations

is recognized by the Imperial Government, and made known to the officials and people throughout the Empire, little difficulty will be experienced in arranging satisfactorily all subordinate matters.

With reference to the course which all foreign nations should pursue in order that a recognition of equality may be secured, the Ministers opinions are definite and decided, in accordance with which he is prepared to act when the appropriate time arrives, provided a majority of his colleagues will act in concert. He thinks that, as soon as the

Emperor

Emperor assumes power and authority as Sovereign de facto the representatives of all the Treaty Powers should request a personal audience, according to the customs and forms usual in Christian countries, and that, if the demand be peremptorily refused, the Ministers should withdraw, leaving the Legations in the hands of Charges d'Affaires. This proposition, you will observe, does not contemplate the interruption of diplomatic relations; nor would such a step be advisable at the present time in view of the precedent hardship it might work

work to individual interests and commercial affairs generally. If the withdrawal of the Ministers from Peking did not result in an invitation to them to return their foreign governments could consult, and decide upon the course necessary to pursue.

In support of his view of the question the Baron argues that the failure of the foreign representatives to demand audience at the time referred to, will be construed into an admission of the inferiority of their Governments; if the demand be refused, some action more emphatic than a verbal or written protest will be necessary.

necessary, otherwise the Chinese Government would regard the result as a victory over the foreigners, which would render the foreign Ministers' position here even more difficult and embarrassing than it now is. In his opinion it would be infinitely better that the demand were not made than to tamely and quietly submit in case of refusal.

So far as I can judge the opinions of the German Minister are shared in by all the representatives of foreign governments now in Peking. Whether they will be authorized

to

to join in the action proposed I cannot, at this moment, say positively.

That the public recognition of entire equality between China and Western Governments in the manner proposed will be distasteful to the Court and all the high officials, and that it will be resisted by all the arts known to diplomacy, no person well acquainted with Oriental traditions and customs can for a moment doubt; nor is it less true that nothing short of a fear of the consequences, which a positive refusal would be likely to entail upon the Government, will ever

cause assent to be given to the proposition.

My views concerning this question have been given you in previous despatches. Of the propriety of making the demand there can be no question; nor do I believe that if it be made by all the Governments represented here it will be refused. But while I should anticipate a favorable result, no Government would, in my opinion, be justified in taking the step without deciding beforehand what it would do in case the Chinese Government declined absolutely to comply with the demand.

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A tame acquiescence in the refusal would prove a more serious damage than people at a distance, who are not familiar with Oriental arrogance and deceit, would imagine.

I have the honor to be

Sir,

Your Obedient Servant

Frederick F. Low

No 215

Legation of the United States
Peking, December 15, 1872.

Sir:-

A project, which the high Chinese officials have had under consideration for some time,— the establishment of a line of merchant steamers between the southern ports of China and Tientsin,— has, I hear, been definitely decided upon, and that it will go into operation early next spring. The line will be composed of ten or twelve steamers. Two

Hon Hamilton Fish or
Secretary of State

or three have already been purchased, others are said to be building in England, and it is not unlikely that some of the gunboats recently constructed at the arsenals will be converted into merchant steamers for this service.

Its originators are said to be Li Hung Chang, the Viceroy of this province, and the two Viceroys resident respectively at Nanking and Foochow. The Imperial Government approves if it does not directly aid, the enterprise. Mr Meadows, late Vice Consul of the United States at Tientsin, will be the

general

general agent of the Company at Shanghai; foreigners will also be employed as Captains, 1st officers and engineers of the steamers.

The avowed object of the promoters of this Company is, to furnish a speedy and safe means of transporting the tribute rice and grain which comes annually to the Northern provinces and Peking. But while this may be the primary object, the steamers will be fitted for, and will engage in, a general transportation business both in freights and passengers.

The

The immediate effect of placing these steamers on this route between Scientia and the southern ports will, undoubtedly be to diminish the profits of those now running under foreign control; hence I shall be prepared for unfavorable criticisms upon the new line by the people and pups at the ports. It is, however, not probable that the old lines will suffer so much as those most interested now imagine, for the chief business of the new line will be that now done by native sailing craft and Canal boats,

which

which have hitherto transported the larger part of the tribute grain. And besides, the setting aside of the old and slow modes of communication and transportation and substituting in their stead foreign built ~~and~~ swift steamers, owned and controlled by high officials, will have the effect to popularize steam transportation and give to steamers a much larger proportion of the business than has been the case heretofore. It will also tend to silence the complaints of the officials, whose chief objection has been that the employment of steam on the

Coast

coast and inland waters of China worked a great hardship to the thousands of boatmen and laborers who gained a living by boating.

I am disposed to regard the inauguration of this enterprise as a hopeful sign of progress, and trust it will be successful.

I have the honor to be

Sir,

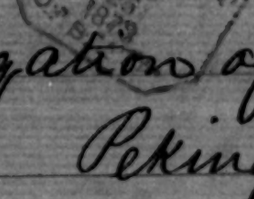
Your obedient servant

Frederick F. Low

Ad

Ack

No 216



Legation of the United States

Peking, December 23, 1872.

Frederick F. Low

to

Department of State

Subject

Reception of Department despatches.

Acknowledges receipt of numbers 100, 101, 102 and 103.

No 716

Legation of the United States
Peking, December 23, 1872

Sir:-

I have the honor to acknowledge the reception of Department despatches numbered 100, 101, 102 and 103.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

Ack Feb 25

Mr Bodisco

ack

No 217



Legation of the United States

Peking, December 24, 1872

Frederick F Low

to

Department of State

Subject

Reception of Department circular announcing the decease of Ex Secretary Seward.

Acknowledges the receipt of the circular and states that the orders of the Department have been complied with.

No 217

Legation of the United States
Peking, December 24. 1872.

Sir:-

I have to acknowledge the receipt of Department circular under date of 11th October, and to inform you that the instruction contained therein has been complied with.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

What instructions were given to Mr Bedaw respecting General Legations of foreign ministers

Ext

Ack 10 Mch

Mr Bedaw

DEPARTMENT OF STATE
RECEIVED
FEB 25 1873

No 218 Two Enclosures

Legations of the United States

October 26. 1872

Mr Bedaw
The enclosed appears to be the only instruction of the Dept to Mr De Long, relating to the appt of Genl Le Gendre.
Ack 10 Mch
26th Feby
Acknowledges Mr Lowrie's dispatches and says that his views as expressed to Mr De Long appear to be well founded

Subject

Relations between Japan and China and Corea. Threatened hostilities between Japan and the other two countries.

Encloses copies of correspondence between U.S. Minister in Japan and himself concerning the matter.

Most instructions were given to Mr Delong respecting general Legations appointments

Ext

Act'g Mch Mr Bodman

DEPARTMENT OF STATE
RECEIVED
FEB 25 1873

No 218 Two Enclosures

Legation of the United States

Peking December 26. 1872

Frederick F. Low

to

Department of State

Subject

Relations between Japan and China and Corea. Threatened hostilities between Japan and the other two countries.

Encloses copies of correspondence between U.S. Minister in Japan and himself concerning the matter.

regret to see one of our citizens in the position of "Assistant Minister" in a Japanese Embassy.

My reasons for this opinion will be given more fully in a future despatch.

I have the honor to be

Sir,

Your Obedient Servant

Frederick F. Low

Enclosures

No 1 Mr De Long to Mr Low

November 28. 1872

No 2 Mr Low to Mr De Long

December 26. 1872

Enclosure No 1
Despatch " 218

No. 161.

U. S. Legation, Japan
November 28. 1872

Sir:-

There is a prospect of trouble between this Government and those of China and Corea.

Having been freely advised with by these authorities, I believe that I have possessed myself quite fully of their views and intentions.

This information, however, I beg to assure you has been given to me under a promise on my part of profound secrecy, except that it was understood that I would impart my knowledge to the proper authorities of my own Government, and as you are most immediately interested, I shall now advise you of all that has passed, and keep you promptly and fully advised

H. E.
F. F. Low
U.S. Envoy &c
Peking.

in the future.

Of course I do not know what are your views of the policy of this Government, but I trust, that however much you may dissent from my opinions or however much you may wish a different course to be pursued, you will not allow the Chinese Government to become aware of any of the matters that I shall disclose to you, as it would, seriously compromise my standing and possibly ruin my efficiency at at this Court, if these authorities should ever learn, or have reason to suspect that through me, their secrets had been disclosed.

I believe that my connection with this matter may enable me to arm you with information of the greatest interest, before your Colleagues can become apprized of the same, and should your opinions concur with my own, I may be able, and shall labor

to

to the end of placing all negotiations under your supervision qualifiedly, which I trust will greatly strengthen your position at the Chinese Court.

I enclose for your consideration, copy of a note from me to the State Department (No. 302) of date November 6th 1872 (Enclosure No. 1.) also copy of another note from me to the State Department No. 309 of date November 22nd 1872 (Enclosure No. 2.) Also a copy of a note from me to Rear Admiral Jenkins (No. 136.) of date November 23rd 1872 (Enclosure 3) a perusal of which will fully advise you of all that is proposed, and all that has taken place up to this date.

Whether this scheme will be carried out by this Government or not, I do not yet know, but I will probably be able to fully advise you by next mail.

I trust that in requesting

General

General Le Gendre (who is one of your subordinate officers) to remain here, I may not have done what will cause you annoyance with him or myself.

If however you should feel at all aggrieved, I pray you to allow all your censure to fall upon me alone, for the General has in all this affair, acted only in accordance with my earnest requests.

Sincerely hoping that you may coincide with my views, and co-operate as fully as compatible with your sense of duty to our Government and to that of China with my efforts, and again bespeaking profound secrecy.

I remain, Sir,

Your most obedient servant

(Signed) C. E. LeLong.

Enclosure No 2
Dispatch No 218

Legation of the United States.
Peking, December 26. 1872

Sir:-

I have to acknowledge, with thanks, the receipt of your despatch No. 161 of 28th ultimo. Your request that it may be considered and treated as a confidential communication, will be observed.

Since its receipt I have only had time to read it and the enclosures hastily; hence what I shall now write will be my impressions simply.

By the next mail I shall be able to give my opinions with reference to the matters treated of in your despatch more in detail.

And first, permit me to say that I do not regard with disfavor the attitude of Japan towards Corea and China; nor should I regret

H. E. C. E. DeLong
U. S. Minister, Japan.

to

to see that Government take steps to recover the control of territory to which she may be entitled, either legally or equitably, or seek redress for wrongs which she may have suffered.

Nor can I see that objection can be made, reasonably, to your using all honorable and proper means to gain a correct knowledge of the real attitude and purposes of the Japanese Government respecting China and Korea, on the contrary I feel under obligations for the information which you were kind enough to send me.

With reference to the question of sending an Embassy to China, and the appointment of one of our citizens to the post of "associate Minister", my opinion, I regret to say, differs from yours.

If I understand the situation correctly, there is no expectation, or even desire on the part of the

Japanese

Japanese Government that a peaceful solution of the various questions will be reached by negotiation; indeed, I infer that the main purpose of the Mission will be to make demands which it is fully expected will be refused, and that the refusal of these demands will form the basis for hostile operations.

If there is reason to suppose that the sending of the Embassy would eventuate in the adjustment of the questions at issue, there would be less objection to having an American citizen associated with it. But even in that case, there are so many valid reasons against it that I should not favor the trying of such an experiment.

If however the Government concludes to employ Genl. Le Gendre, with your consent, and he accepts the position, I shall take pleasure in doing what

I

I can, consistently, to further the objects of the Mission.

I shall address you again upon this subject by the next mail.

I have the honor to be,
Sir,
Your obedient servant
(Signed) Frederick F. Low.

Acked 3d April

DEPARTMENT RECEIVED MAR 29 1873 OF STATE.

No 219 3 Enclosures

Legation of the United States
Peking, January 4, 1873
Frederick F Low
to
Department of State

273-
112

Subject

The proper disposition of the money found on the bodies of Chinese who lost their lives when the Steamer America was burned in the harbor at Yokohama.

Encloses Correspondence between Mr Consul Shepard, Minister De Long & himself concerning the matter.

No 219 3 Enclosures

Legation of the United States
Peking, January 4, 1873.

Sir:-

I have the honor to transmit herewith copies of letters that have passed between the Consul at Yokohama, the Minister in Japan and myself, relative to the proper mode of disposing of the money found on the bodies of certain Chinese who lost their lives when the Pacific Mail Steamer "America" was burned

in

Hon Hamilton Fish
Secretary of State

in the harbor of Yokohama.

I have the honor to be

Sir,

Your Obedient Servant

Frederick F. Low

Enclosures

No 1 Mr Sheppard to Mr De Long

November 27. 1872

No 2 Mr De Long to Mr Low

November 28. 1872

No 3 Mr Low to Mr De Long

January 3. 1873

Enclosure No 1
Despatch No 219

Copy

U.S. Consulate
Kanagawa, Nov 27, 1872

H.E.
C.E. De Long
U.S. Minister

Sir,

I have in my possession (including gold dust) from 18 000 to 19 000 receives from the bodies of the Chinese passengers of the "America", and I desire advice as to its disposition. I had thought of sending it through you to the Chinese Government, but the earnest protest of the Chinese Guild that should such course be pursued not one penny would ever reach the relatives of the deceased, has altered my views.

By the last mail from San Francisco a complete list of the Chinese passengers, together with their several places of residence was received. From this list take the

names

names of the saved and one of course have the names of the lost. It is desired by the Chinese Guild here, that the money be sent with this list to the Chinese Hospital at Hong Kong for distribution. The passengers were all bound for Hong Kong, and near that port are their homes. From all sides — Capt Lane, Mr Farley and Mr Walsh (I believe) — I learn of the high character, entire honesty and reliability of this charitable institution, and my judgment would be to adopt this course: but before doing so I wish to obtain your opinion. Of course I should take their receipt and require assurances of their responsibility.

I am Sir

Your obedient Servant

(Sgd) C. C. Shepard

Consul

Enclosure No 2
Dispatch No 219

Copy

United States Legation
Japan, November 28, 1872

Sir:-

I this morning receive a note from C O Sheppard Esq, U S Consul at this port (enclosure No 1) by which he advises me of his having in his possession a large sum of money, recovered from the bodies of Chinese passengers per S.S. "America" when that vessel was lost in this Port, and asking my advice as to what disposition he should make of the same.

In reply I have advised him to retain the possession of the same until I could submit the matter to you and learn your views, which I accordingly hereby do; and I beg

His Excellency
F. F. Low,
U.S.E.E. & M.P.
Peking China

beg of you to reply hereto at your earliest convenience.

I have the honor to remain

Sir,

Your obedient Servant

(Sgd) C. E. De Long

Enclosure No 3
Dispatch No 219

Copy

Legation of the United States
Peking, January 3, 1873

Sir:

Your No 160 of 28th November last is received.

Before responding to your request for advice as to the best mode of disposing of the money in question, it seemed proper as well as advisable to report the facts to the Ministers of the Foreign Office and hear the suggestions they might have to make. A day or two since I had an interview with them at which the subject was brought to their notice; we also agreed subject to your approval, upon a plan which will, I think, secure an honest distribution of the funds, and at the same time make the Shogun's humane action known as widely as possible in Kiangsu province.

His Excellency
Charles E. De Long
U.S. Minister Japan.

province. The plan suggested is this: Let the Consul furnish me with copies of the lists, which he says are in his possession, of all the Chinese passengers on board the American that voyage with their places of residence, and of those that were saved. The names not on the latter will represent the lost. These lists I will send to the Foreign Office, which will transmit them to the Viceroy at Canton with instructions to cause the relatives of the missing men to be discovered. When found they will be instructed to report themselves, with the evidences of their relationship to the deceased, to Dr J. G. Kerr, an American Medical Missionary residing at Canton, who will be charged with the distribution of the funds. It is understood that Dr Kerr shall have sole control of the money

and

and that he and Dr Wong,
a Chinese physician in Canton
shall pay it to whoever they
shall decide to be the nearest
relatives of the missing men.
I assume that the names of
the persons upon whom the
money was found, or the amount
found upon each, cannot be
ascertained with certainty, nor
can the names of the lost be
known with certainty except
by the lists before referred to; hence
a pro rata distribution of the
money among the relatives of
the missing, seems to be the best,
if it is not the only practicable
plan for disposing of the funds.
If you concur in
my views and the plan proposed
is adopted, the money will be
kept out of the hands of the
Chinese; indeed the Yamen seemed
so averse to having it go into
the hands of the officials that

they

they were desirous that the money should not be sent to Canton until after the officials had done their part of the work, and the people had reported to Dr Kerr. When sending the lists to the Viceroy no mention will be made of there being any money involved in the inquiry which he would be instructed to make.

Dr Kerr has resided in Canton many years, is a man of high character, speaks and reads Chinese well, and is in every respect a fit person for the task suggested. He has not been consulted about the matter, nor will he be by me until I know that the plan suggested is approved of by you.

Dr Wong, the Chinese physician, was educated in the United States; in Canton he is considered by all classes, native

and

and foreign, an honest and reliable man.

It would not be advisable to send the money to Dr Kerr, or announce an intention of doing so to any one except the Dr himself, until after sufficient time shall have elapsed to allow the lists to reach the officials there and the enquiry to be fairly inaugurated.

Although these passengers were ostensibly bound to Hong Kong it is not probable that many really resided there;— their homes and families are likely to be in the interior of the province; hence Canton will be the more convenient place in all respects for the distribution of the money.

In case my plans is approved of, no effort on my part will be wanting to carry it into effect fairly & honestly.

I

I may add that the Ministers were surprised as well as gratified that the Consul and yourself had taken such an interest in this matter; and they desired me to convey to Mr Shepard and yourself the thanks of the Government, and of themselves individually, for your humane efforts in behalf of the families of the unfortunate people who lost their lives on the "America".

I am, Sir,

Your Obedient Servant

(Sgd) Frederick F Low

acknowledge & assume
Is not this question settled?

April 3d 1873

Mr. Burlingame



No 220 Two Enclosures

Legation of the United States
Peking January 8, 1873
Frederick F. Low
to
Department of State

Subject

The ship "Cungup" case at Swatow

Encloses translation and copy of a correspondence between himself and the Yamen concerning it.

No 220 2 Enclosures

Legation of the United States
Peking, January 5, 1873

Sir:-

I have the honor to enclose translation of a note recently received from Prince Kung and the Ministers of the Yamen with reference to the Ship Conger Corlies case, and a copy of my reply.

As the report made to the Yamen contains some glaring errors, it seemed in every respect desirable that the

Hon Hamilton Fish
Secretary of State

the Government should be
placed in possession of an
accurate statement of the
principal facts; and as the
Viceroy at Canton and the
Ministers here appear to have
misunderstood entirely the exact
status of Wenmouth; — that he
was arrested, tried and punished
for violating the laws of the
United States, and not those of
China — it seemed a fitting
occasion to enlighten them
upon that point.

I may be permitted to
observe in this connection that
there seems to have been an error
in Wenmouths sentence by the

Consular

Consular Court. According to Mr Consul Wingate's report Wermouth was sentenced to pay a fine of $750 or be imprisoned 90 days; while the penalty provided for in the 2d section of the act of February 19. 1862 in such cases is, "a fine not "exceeding one thousand dollars "and imprisonment not exceeding "one year."

In the Yamens note before referred to you will observe that, while the sentence of Wermouth was less severe than it should have been according to the Chinese views, Mr Consul Wingate is thanked for breaking up

the

the expedition; and on an occasion recently the Ministers expressed personally their grateful acknowledgements for the services I had rendered in checking and suppressing the execrated traffic.

The increased activity of the officials in devising means to prevent a supply of Coolies reaching Macao, since my despatch upon the subject in June last, goes to prove that much more would be done if the Government felt sure that its efforts in that direction would have the moral support and sanction of the Chief Treaty Powers.

This is probably the last

Correspondence

correspondence with reference to the "Lingup" case that I shall find necessary to send.

I may add that Mr Consul Jewell has sent me copies, in English and Chinese, of his correspondence with the Viceroy concerning Jenan's case. As there is nothing in it differing in any essential particular from his statement, copy of which went forward in my No 204, it does not seem necessary to burden the department with copies of these papers.

I have the honor to be, Sir,

Your obedient servant

Frederick F. Low

Enclosures

No 1 Prince Kung and the Ministers of the Yamen to Mr Lord.

No 2 Mr Lord to Prince Kung

Enclosure No 1
Despatch No 220

Prince Kung and the Ministers of the Foreign Office to His Excellency the American Minister.

We beg to acknowledge having received several days ago a note from Your Excellency* informing us of the action taken by the U. S. Consul at Swatow to prevent Chinese subjects being taken to Peru &c &c, the perusal of which has given us the greatest satisfaction.

With regard to this matter, we had previously received from the Governor General of Kwangtung and Kwang Hsi a despatch informing us that on the 3rd July 1872, he had received from the Intendant of the Hwei Cho, Chao Chu, and Chia Ying circuit a communication stating that the Deputy Inspector of Customs at Swatow had reported to him that on the 3rd of June he had heard of the arrival in Swatow, in an American vessel, of some foreigners and Chinese, who gave out that they had obtained from the Chinese and foreign officials

* Enclosure No. 2 in Despatch No. 212 to the Department.

permission to engage Coolies for emigration.
But as the Deputy and Mr. ———,
the Commissioner of Customs had, in
consultation discovered something
suspicious in this business, they
acting conjointly with Mr. Wingate,
the U.S. Consul, and Mr.
the British Consul, sent a party
of soldiers and tide waiters who
arrested Serrano, of New Granada,
a now treaty Power, Parrington an
American, and Captain of the
ship, and Chin Ah Kun, a Chinese,
native of Chin-Lai-Hsien, and took
possession of the ship, with 9 handbills
and a Charter-party found on board,
all of which were then examined.
The handbills falsely stated that
the Consul had expressed to the Native
Authorities his approval of this plan
to obtain Coolies for emigration to the
United States. The Charter party
however, was made out for a voyage to
Peru, — which proved that deception
had been practiced to mislead ignorant
people. Serrano was then imprisoned
by

by the British Consul. Capt. Parrington and his ship were placed under arrest by the U.S. Consul. Chen A Kun was placed under surveillance, and the whole matter represented by the deputy to his superiors for further action. The deputy reported that the U.S. Consul said that an American named Vermouth chartered the ship to carry coolies from Swatow, and that Vermouth had brought Serrano to the U.S. Consulate. Vermouth, therefore, being concerned in the business, it was essential that he should be brought to trial with the others.

The Governor General wrote to Consul Hingate requesting him to arrest Vermouth and send him with Capt. Parrington under custody to Consul Jewell at Canton, which being done he would send a deputy to join the Consul in a trial of these men.

Consul Hingate replied that Vermouth was the chief offender, that his scheme was now fully revealed, and that he had been imprisoned to await his trial under

U.S.

U.S. laws; that Serano had declared himself innocent of complicity and had begged not to be sent to Canton.

Consul Wingate repeatedly wrote the Governor-General that he considered the transfer of this case to Canton would be derogatory to himself, and therefore requested that the trial should be held at Swatow. In reply the Gov. Gen. clearly explained that as Serano, a subject of a non-treaty power, had broken the law in China, he should be sent to Canton for trial as there it could be decided what should be done with him; that as Wermouth and Parrington were principal offenders he wished them to be sent to Consul Jewell for trial at the same time, — there was no intention to underrate Consul Wingate; that Consul Wingate having written that he had investigated Wermouth's case he should fully report the result of the investigation, and the Gov. Gen. would then depute the Prefect of Canton,

Seng

Feng Jui-pêu, and Lieut-Col. Huang
Ling tao to act in conjunction with
Consul Jewell in examining Serrano
and Chêu Ah Kun at Canton.
Consul Sturgis responded that
Vermouth's real intention was to go
to Peru, and not as he had otherwise
given out. that he had been arrested,
tried under the U. S. laws, and fined
$750 for breaking the law in order to
make profit for himself; and that
Capt. Parrington had appealed to the
U.S. Minister.

Consul Jewell reported that he,
together with the Chinese Deputies,
had examined Serrano, and a
copy of his evidence was sent to the
Gov. Genl. From this the Gov. Gen.
discovered that Serrano was an
intimate friend of Armero, an
Italian living in Macao: that
Armero had planned with Vermouth
to obtain coolies and send them to
Peru for employment in building
a railroad: and that they chartered
Capt. Parrington's vessel to ship the
coolies

coolies from Swatow. Armero furnished $10.000, which he sent in Bills of Exchange to Swatow to serve as capital. He employed Serrano as accountant and Cashier promising him, as an old friend, a share of the profits of the business instead of a salary. Serrano knew that the Chinese Government had prohibited the emigration of Coolies to Peru, but Armero and Vermouth told him that they had permission from the Native and Foreign authorities to engage in this enterprize, and Serrano believed what they said. Armero also sent Chen A Kun, a native who had been in his employ, to attend Serrano. Serrano and Chen Ah Kun then went together to Swatow where they met Vermouth. Serrano was told by Vermouth that the U. S. Consul had consented to the undertaking, but Serrano not having seen any written permission from the Consul, did not commence operations, neither did he present Armero's Bill

of

of Exchange to the Banker for payment, nor did he make known his business to others. Vermouth had the handbills printed, Serrano had nothing to do with them. His duty was to look after the accounts he had no further interest in the business. After stopping at Swatow some time and finding that nothing had been accomplished by Vermouth, Serrano concluded to leave Swatow with Chêu Ah Kun; but at this juncture he was arrested and then for the first time knew of Vermouth's misdealings.

Chêu Ah Kun stated: "I am a native of the Chêu hai district in Kuang Tung, I was formerly in the employ of Armero, an Italian, living in Manilla. Some time ago I was ordered by Armero to attend upon Serrano and go with him to Swatow. I took no part in unlawful proceedings to get coolies." The rest of his evidence agrees with that of Serrano.

Upon investigation the Gov. Gen. found

found that Thermouth a U. S.
Citizen, went to Swatow for the
purpose of secretly procuring Coolies
for emigration to Peru. He had
handbills printed, and represented that
he had permission from the Native
and Foreign authorities to engage
laborers for the United States, while
he really had the most unlawful
purpose of kidnapping Chinese
subjects for Peru. Consul
Wingate's sentence of $750. fine is
therefore utterly inadequate
punishment for this offence.

But since the Consul has closed
the case, further action is
unnecessary. Capt Parrington
having broken the law by Chartering
his ship for the purpose of carrying
Coolies to Peru, the Consul has
requested the U. S. Minister to
attend to his case, and when the
Ministers action is made known
to the Consul he will communicate
the same to the Gov. Gen.

Although Serrano says he was

concerned

concerned only with the accounts and had no further interest in the business, yet he knew of the prohibition against the emigration of Coolies to Peru, and therefore was aware of the illegality of the undertaking he was connected with. and having joined it to make money by serving as accountant, he must be considered as one of the confederates, and as such is guilty under Chinese law. However, as this man fully acknowledged his error when examined by Consul Jewell and the deputy native official he has been released at Consul Jewell's request.

Chin Ah Kun was connected with foreigners to evade the law against the Coolie trade; Although he was not an active party, yet, knowing the unlawful nature of the business, as he went with Serrano to Swatow and did not inform against him, he shall

be

be punished as sentenced by the Prefect of Canton, namely, wear the Cangue for 3 months in his native place, be beaten when released, and then be obliged to find security for his future good behavior.

This final disposal of the case the Gov. Gen. has communicated to Consuls Shigata and Jewell with the request that hereafter they and all other Consuls should when occasion offers warn their countrymen against evading the law and coming to China with the secret purpose of selling coolies for emigration. If such warning is given, irregularities may be avoided and amicable relations improved.

Further, Serrano stated that the Italian Armero lives at Macao and that he is the originator of this affair. Italy has no Consul at Canton, but there was formerly an Italian Consul named Ho

at

at Macao. The Gov. Gen. will find whether this Consul is still there, and if so, communicate with him and request him to proceed against Arnero for breaking the law by engaging people to go for him to Swatow and there get Coolies for Peru; and also request him to warn his countrymen against future infraction of this law.

The Gov. Gen. has communicated the particulars of this case to the Superintendents of Trade for the Northern and Southern Ports, as well as to this Yamen, sending also a copy of the handbill.

We find the case to be, briefly, as follows:— Vermouth being at Swatow engaged in procuring Coolies, a Deputy Chinese official, together with the Comm.r of Customs saw grounds for suspicion; thereupon the U.S. Consul joined with them in arresting the guilty parties. This is a most praiseworthy instance

of

of Consul Wingate's sound judgement, and but reflects Your Excellency's constant regard for cordiality and just dealings in all your proceedings. Influenced by these feelings we have addressed this note to you, to thank you for what has been done.

Still, as it appears that Vermouth was the chief offender in this case, the fine to which he was sentenced by Consul Wingate must be considered insufficient punishment for so grave an offence. However as the case has been closed, nothing more need be said about it.

Hereafter if any similar case should occur, I trust that Your Excellency will instruct the U. S. Consuls at the various ports, to act conjointly with the local officials in disposing of them. The secret Coolie agents will, through terror of the law, abandon

abandon their unlawful projects.

We send herewith a copy of the handbill for Your Excellencys perusal.

Cards of Prince King and full Gamëin

Translation.

Handbill enclosed in a despatch from the Governor General of Canton to the Tsung li Yamên. Nov. 7. 1872.

Notification. In the year 1858 a Treaty was made between China and the United States; and subsequently in July 1868 a supplementary Treaty of Eight Articles was made by the Ministers Plenipotentiary of both countries. In 1869 this supplementary Treaty was ratified by the Emperor of China and the President of the United States, and proclaimed to be of equal force with the original Treaty. Article V of the Supplementary Treaty provides that:—

"The United States of America
"and the Empire of China
"cordially recognize the inherent
"and inalienable right of man
"to change his home and allegiance,
"and also the mutual advantage

of

"of the free migration and
"emigration of their citizens and
"subjects respectively from the
"one country to the other for the
"purposes of curiosity, trade or as
"permanent residents. The high
"contracting parties, therefore, join in
"reprobating any other than an
"entirely voluntary emigration for
"these purposes. They consequently
"agree to pass laws making it a
"penal offence for a citizen of the
"United States, or a Chinese subject,
"to take Chinese subjects either
"to the United States, or to any
"other Foreign country, or for a
"Chinese subject, or a citizen of
"the United States, to take citizens
"of the United States to China or to
"any other foreign Country without
"their free and voluntary consent
"respectively"

The people of both
countries have gladly taken advan-
tage of this provision. Vast numbers
of Chinese have gone from the

various

various ports in China to the United States to engage in trade.

At Hong Kong the Pacific Mail Steamship Company has a number of steamers plying to and from the United States.

But as the expense of a passage to the United States is considerable, and as one must be provided with means of support while yet without employment after arrival, it is evident none but the well to do can avail themselves of these opportunities.

It appears that there are in many parts of China poor people who have the wish to go to foreign countries to better themselves but who have not the means necessary to carry them there. Hence the admirable purpose of the Article quoted above is practically nullified.

I have frequently observed that in my country, the United States, there is everywhere

more

more work than workmen, especially has this scarcity of laborers existed during the past few years. Since, therefore, there are in China many people who have the wish but not the means to go abroad, the excellent intention of those who devised the Article beforementioned is absolutely frustrated.

I have now to propose a plan by which those who have work to be done, and those who want work to do will alike derive benefit; a plan truly advantageous to both parties.

I have come to China as a General Agent for this business, and, as required by law, have submitted my plan to the consideration of His Excellency the Consul specially appointed by the President of the United States for the management of International affairs at Swatow, who has examined the various arrangements I have made for

the

the benefit of those who are willing to go to the United States as laborers, has expressed himself satisfied that they are in conformity with the Regulations between China and the United States, and has written to inform the local authorities that I, as Agent, have permission to proceed with the business. These arrangements conscientiously made in respectful accordance with the good intention of the High Authorities above mentioned, I have embodied in a list of Regulations now published to inform the public that an Agency for the "Company to encourage "voluntary emigration of Chinese "for employment in the United States" has been established at Swatow.

No passage money is required of those who wish to go. There is work enough for all who wish to benefit themselves as laborers. The local officials have given their approval, so there is no cause for doubt.

Emigrants

Emigrants may go and come as they please, and there is no telling what wealth may not be acquired.

Lawless characters shall not be permitted to interfere. Those who attempt intimidation or kidnapping will be sent to the authorities for severe punishment.

It is my earnest hope to benefit all those who are interested in the fulfillment of this scheme.

The following are the Regulations. Those wishing to go will please come and make a personal arrangement at this Agency.

Regulations.

1. None but safe and sound foreign vessels and such as have been approved by the Consul and Commissioner of Customs, will be employed.
2. The passenger accommodations will be the same as those of the Pacific Mail S.S. Co.
3. The food furnished during the

the voyage will be of the best quality, such as is provided by the P. M. S.S. Co.

A physician and an Interpreter will go with the ship, and they will attend the sick, free of charge.

On arrival the Agent will find employment for the emigrants, such as building railroads, cultivating sugar cane, and other kinds of occupation to numerous to mention.

It hem employed the food and clothing necessary for daily use will be furnished, and $4.00 pocket money will be given at the end of every month.

The Agent advances $30. passage money to be refunded by the passenger after his arrival.

Those for whom the Agent finds employment will have one half the passage money commuted at the end of their first year of service, and the whole amount will be commuted at the end of two

years

years of service.

5th An increase of wages is guaranteed after two years service, and after five years service, if any wish to return to China, I guarantee to send them there.

6th The Agent will forward letters or money postage free for those who wish to send any home. money will be sent in Bills of Exchange.

7th Those who are willing to go, besides the advance of $36. passage money, will be given $8. on embarking to provide for their families. After reaching their destination and finding employment, this $8. will be returned by installments of $1. per month for 8 months.

June 6th 1872

Seal of the Swatow Agency for the Company to encourage voluntary emigration of Chinese for employment in the United States

A special notice by the Agent for the "Company to encourage voluntary emigration of Chinese for employment in the United States.

Enclosure No 2
Despatch No 220

Legation of the United States.
Peking January 1873.

Sir:

I have had the honor to receive from Your Imperial Highness, and their Excellencies, the Ministers of the Yamen a note in which is embodied in substance the report of the Governor General at Canton concerning the case of the ship "Congress" of which mention was made in my note of November 29th. I had previously learned from the Consuls at Swatow and Canton all the particulars of the case. They also sent copies of all the correspondence that passed between them and the local officials and the Viceroy concerning it.

As there seems to be some discrepancies between the Governor-Generals report and those of the H. I. M.

Prince Kung.

Consuls

Consuls made to me as to the facts, I deem it expedient to point them out so that Your Imperial Highness may have a clear understanding of the whole question. And as the Governor General appears to have misunderstood the duties and obligations of United States Consuls in cases of this kind, I deem it not inappropriate to make some observations concerning the duties of those officers, which will I trust tend to prevent complications in the future.

The "Congress" was an American vessel, and her Captain, Purrington, and also Wermouth, the Agent, were American Citizens. The offence with which they were charged was committed in Swatow against the laws of the United States.

With respect to the ship and the two persons named the jurisdiction of the United States

Consul

Consul was complete. Their cases must be tried by the Consul in Swatow, or he could send them to the United States for trial. He could not lawfully send either the ship or the persons referred to, to another port to be tried by another Consul, nor could Consuls of other nations or Chinese officials be allowed to sit in judgement upon them. From this Your Imperial Highness will observe that the request of the Governor-General that the ship and all the people concerned be sent to Canton for trial, was not warranted by treaty or law and therefore could not be complied with. I may add in this connection that the despatches from the Governor-General to the Consul Kingsate with reference to this particular joint partook more of the nature of an order than a request; they were also, I feel bound to say, wanting in that courtesy which should always

pertain

pertain in correspondence between officials of the two countries.

Vermouth was arrested by order of the Consul upon his own motion and tried by a properly constituted Consular Court; nor is there reason to believe that his punishment was disproportioned to the offence of merely attempting to do an unlawful act.

As proceedings against the vessel in Swatow might work great hardship to her owners who were probably innocent of all complicity in the affair, the Consul concluded to report the facts in regard to the Ship and her Captain to the Government, who will undoubtedly cause them to be brought before a proper court for trial whenever they reach the United States.

Serrano being a citizen of a non treaty power the United States Consuls had no legitimate jurisdiction over him. He

was

was arrested by the native authorities at the suggestion of the Consul, who also sat as an assessor in the preliminary examination, at the special request of the presiding magistrate. As he had been called upon to sit as an associate at the first trial, the Consul thought it due to himself, as well as an act of justice to the prisoner, that the trial should be proceeded with at Swatow, the place where the alleged offence was committed. The prisoner was however removed to Canton for trial by order of the Viceroy. The proceedings in connection with the removal of Serrano to Canton were such as to lead the Consul to believe that the Viceroy either of his own motion or through the influence of officious advisers, was inclined to treat him, (the Consul) with discourtesy. As an officer of the United States he felt bound to protest against such proceedings. I am gratified

to

to observe that the Viceroy, in a subsequent despatch to the Consul, and also in his report to the Yamen disclaims any intention of ignoring the Consul, or otherwise treating him with discourtesy.

Upon the arrival of Serrano at Canton, the Governor General requested Mr. Consul Jewell to assist in the trial of the case, in conjunction with a native official, which he named. To this the Consul assented, and the trial proceeded.

It lasted two days, during which every opportunity was afforded the prosecution as well as the defence to produce evidence. The result was a verdict of acquittal and the prisoner was discharged. In view of these facts, with which the Governor-General must be thoroughly acquainted, it is with surprise as well as regret that I see in his report the statement: "Serrano was "released at the request of Consul "Jewell." Neither Mr. Wingate nor

Mr

Mr. Jewell asked for Serrano's release. All they asked was that he might be afforded a fair and impartial trial. and if proven guilty that he be punished. if innocent, that he be set at liberty.'

The foregoing is a clear and accurate statement of the whole affair from which Your Imperial Highness will see that the action of Mr. Consul Vinyate was strictly according to law and the policy of the United States concerning the Coolie trade. His whole proceedings from first to last, instead of meriting criticism or censure, were, I feel bound to say, praiseworthy in every respect. It was through his efforts that the unlawful expedition was broken up. and it is to be hoped that it will prove a salutary lesson to others who may be inclined to engage in such enterprises in the future.

My chief regret in regard to this affair is, that Armero

the

the instigator of the whole scheme and the man more guilty than all the others, though residing at a place which is claimed as being an integral part of the Empire is still beyond the reach of law or justice.

I may add that the Imperial Government may rely with confidence upon this Legation and our Consulates to enforce the laws of the United States prohibiting the coolie trade in American vessels; nor will the Minister or the Consuls fail to render the Government all the aid they can legally and properly in its efforts to put an end to this nefarious traffic.

With assurances of my high consideration

I have the honor to be
Your Imperial Highness
obedient Servant
(Signed) Frederick F. Low

Rec'd 3d April.

acknowledge - Mr Borden

The Department has no control over the acts of private citizens, and has no authority by law to prevent them from entering foreign service. ~~Which~~ Mr Le Gendre has entered the service of Japan, he had a right to do so, having resigned his position under the Govt, and Japan being at peace with the United States.

DEPARTMENT OF STATE RECEIVED MAR 29 1873 U.S.

No 221 One Enclosure

Acknd as above 3d April

Legations of the United States

Peking, January 10th, 1873

Frederick F Low

to

Department of State

Subject.

Relations between China and Japan.

Encloses copy of a note to Minister De Long giving his views upon the subject; opposes the employment of Americans in the Japanese military or diplomatic service.

No 221 One Enclosure

Legation of the United States
Peking, January 10th, 1873

Sir:-

Referring to my No 218 of 26th ultimo, I have now the honor to submit a copy of a note which I have addressed to Minister De Long in further answer to his No 191 to me.

As the subject matter of this correspondence may assume an importance greater than now seems probable, and as

Hon Hamilton Fish
Secretary of State

as the relations of the United States with these Countries may be affected to a greater or less extent by the decision which may be come to concerning certain propositions submitted by Mr De Long, I may be pardoned for again bringing the subject to your notice, with a view of requesting that the whole question may be carefully considered before assent is given to the employment of citizens of the United States in the diplomatic or military service of Japan.

If the Department desires additional evidence as

as to the impolicy of permitting our citizens to engage in the military service of either Japan or China when engaged in either domestic or foreign war. I would, most respectfully, refer you to that portion of the history of Generals Ward and Burgevine's connection with the Chinese army which is contained in the published correspondence of my predecessors. (See Diplomatic Correspondence, 1863, part 2, pp 942 to 953; 1864, part 3, pp 421, 2, 3, 4 and 5; 1865, part 2, pp 452 to 456; 1866, part 1, pp 463 to 473, and 503, 4, 5 and 6.)

If Mr DeLong is

Correct

couch in supposing that an interruption of friendly relations between Japan and China is probable. The employment of Gen'l Le Gendre in a diplomatic capacity, as suggested, would, I fear, prove a doubtful, if not hazardous experiment.

I have the honor to be
Sir,
Your Obedient Servant
Frederick F. Low

Enclosure
No 1 Mr Low to Mr De Long
January 8. 1873

Enclosure No 1
Despatch No 221

Legation of the United States.
Peking January 8. 1873.

Sir:-

Referring to my despatch of 26th ultimo, I now beg to submit some additional observations concerning the subject treated of in your No. 161 and its enclosures.

It is practically impossible to ascertain the exact attitude of this Government towards Japan. I have reason to believe however that China has so much respect for the physical power of Japan that there is small prospect of an aggressive war being commenced by this Government. But while it is not probable that China will causelessly provoke hostilities, neither would she shrink from a contest of arms, in case her territory was invaded, or an issue forced by Japan calculated to

Charles E. DeLong
U.S. Minister, Japan.

wound

wound the sensibilities of the high officials and the people. How would Japan, with all her preparation, find a war with China, waged upon her own soil, an easy task.

With reference to Loo Choo, and the changes which have recently taken place in her Government, I do not look for any demonstration on the part of China except perhaps a vigorous protest. Were that kingdom to renounce its allegiance of its own motion, it is not impossible that hostilities would follow, with the Japanese Government in the background to take her part in case of trouble, no notice will, I apprehend, be taken of the recent occurrences mentioned by you. In point of fact the allegiance of Loo Choo has never been considered of much importance by this Government. The Tributary Embassies from there, and also from Annam, have, for many years, been considered as trading expeditions

rather

rather than Embassies.

Were Japan to invade Corea the latter would undoubtedly have the sympathy and moral support of the Peking Government. Whether material aid would be furnished as well may be doubted. It certainly would not if the foreign representatives in Peking intimated that the interference of China would be looked upon with disfavor by the Western Powers. Were Japan to seriously set out to reconquer Corea there could, I imagine, be no reasonable doubt as to the result; and if that Government is really seeking occupation for her army she could not do better than expend her energies on Corea. April and May are the best months for operations on that coast. In a contest with Corea Japan would have the moral support of all Christian

nations

nations with the exception, perhaps, of Russia.

Another consideration of general interest in favor of this step is the fact that it would widen the breach between China and Japan, and prevent an alliance of these two countries for any purpose whatever.

Were Japan or any other nation to undertake to chastise the aborigines residing on the island of Formosa, in retaliation for injuries committed by them, China would, I apprehend, offer no objection. If however an attempt be made by any one nation to seize and hold the whole island it would be likely to be resisted by all the force this Government could command.

Without better information as to the real purposes of the suggested mission it is impossible to say whether it would be either wise or politic to send one

here

here at the present moment.

It is understood that the treaty between China and Japan negotiated in 1871 did not prove satisfactory to the latter. Whether the mission of 1872 secured such alterations as would render it acceptable I am not aware.

It was also understood that the principal objection was to the second Article, which provided in general terms for an alliance defensive, but not offensive, between the two countries.

Your information as to the intentions of the Japanese Government towards Corea be correct, it is not unlikely that the first article is even more objectionable than the second. Interpreters here differed in opinion as to the exact meaning of the stipulation contained in the first article that the "territories" of each should not be encroached

on

on by the other. Some construed the expression "territories" to include Tributary States. others thought that it only referred to outlying territories such as the States of Mongolia, Manchuria &c. The weight of opinion rather seemed to favor the latter view. If, however, the former is the correct version, what has happened recently in respect to Loo Choo, and the purpose of Japan to invade Corea, would account for the non-ratification of the treaty.

Unless the treaty is ratified so that one object of the proposed Embassy can be to exchange ratifications there is scarcely a possibility of its being allowed to come to Peking: nor can I see how a Japanese Ambassador could claim the right of a personal audience of the Emperor of China until after the treaty is ratified and the ratified copies are exchanged.

If my information is

correct

correct the consideration shown to the Missions which came in 1871 and 1872 was not such as to lead to the belief that exceptional courtesies would be extended to a new one. The Mission in 1871 was halted at Tientsin where the negotiations were conducted, and not until after the treaty had been signed, were Prince Katé and his suite allowed to visit Peking. In 1871 the Viceroy of this Province was named a Commissioner and conducted the negotiations with Prince Katé; in 1872 a Tontai, an official ranking with a foreign Consul, was deputed to act on behalf of the Chinese Government, although the head of the Japanese Mission held the rank of Chargé d' affaires. It is understood that the Viceroy declined to treat with the second mission. He also refused to receive a visit of ceremony from the Japanese.

The

The reception which a new Mission would be likely to meet with would of itself lead me to discourage the employment of a citizen of the United States as "Assistant Minister." And besides if the Japanese Ministers should be treated with disrespect (which is not unlikely) and trouble should grow out of it, the Chinese would hold the United States responsible in a measure if one of our citizens were associated in the Mission.

With reference to the proposition that General Le Gendre should enter the military service of the Japanese in a war with China, it seems to me that there are so many valid objections to it, that I cannot suppose our Government will give its assent. In the first place it would be in violation of Treaty and International Law for a citizen of the United States to enter the military service of another

another Government in a war with a nation with whom the United States is in treaty relations and at peace. The intention of Congress concerning all such operations seems to be clear and decided, for by the 24th section of the Act of June 22. 1860, the Ministers in Japan and China are vested with extraordinary powers to prevent our citizens from engaging in the military service of these countries.

And even if General Le Gendres suggestion were acted on, and he accompanied the Japanese Army as a diplomatic agent and military adviser, it would be open to the same objection. But, were there no legal obstacles, considerations of interest and policy alone would lead me to regard the proposition with disfavor in countries where our citizens claim exterritoriality.

Here Genl. Le Gendre to enter

enter the military or diplomatic service of Japan would he be content to submit to the laws of Japan, or the laws of war which might obtain between that and any country with which she may be at war? In case hostilities should occur between Japan and China and in the course of the operations the General should fall into the hands of the Chinese, would he be content to submit to the barbarous usages incident to a state of war in Oriental nations, or would he claim Consular protection as a citizen of the United States? Or should disputes arise between him and the Japanese authorities, would he not be likely to ignore Japanese law and seek redress through the Consuls or the Minister?

The answers to these questions are obvious so long as our treaties remain unchanged, and the usages and customs of the last ten years are considered precedents for

our

our guidance in the future.

All foreigners now in the employ of the Chinese Government, including those in the Customs, Department, from the Inspector General down to the most obscure Tidewaiter, the directors and employees in the Arsenals, the officers and engineers on gunboats and Revenue vessels, Harbor Masters, Light House Keepers, and drill-sergeants of the native troops, claim entire exemption from the operation of Chinese law. Whether the position of these people is logical, or just to the Chinese Government, can hardly be considered an open question now. So long as exterritoriality is claimed by and conceded to those of one nationality, all will do the same.

Whether the same rule obtains in Japan I am not aware, but presume it does.

I have, in the foregoing endeavored to give you my views with entire frankness

frankness upon the present situation in China, and the objections which I see against permitting our citizens to engage in the Military service of Japan provided it shall appear that hostilities between that country and China are likely to occur.

I have to request that you will consider this as a strictly confidential communication.

I have the honor to be,

Sir,

Your obedient servant

(Signed) Frederick F. Low

Recd 3d April Mr Badeau

DEPARTMENT RECEIVED MAR 29 1873 OF STATE.

Acknowledge & send the letter to Mr Nathan

Did so 2d April

Copied

No 222 2 Enclosures

Legation of the United States
Peking, January 15, 1873
Frederick F. Low
to
Department of State

FOREIGN OFFICE 1873

Subject

Chinese Educational Mission now in the United States.

Encloses translation and copies of a correspondence between Prince Kung and himself upon the subject.

No 222 2 Enclosures

Legation of the United States
Peking, January 15, 1873

Sir:-

When the Ministers of the Foreign Office came to make their new years call upon me enquiries were made about the young students now in the United States.

In reply I said that, I had seen in one of our newspapers recently a published correspondence concerning them, and had also received a despatch from the Department Hon Hamilton Fish, whom Secretary of State.

upon the subject, and that, if it was desired I would send a copy of the one and the substance of the other to them.

The enclosures herewith contain a copy and a translation of my note enclosing the paper, and the Prince's reply.

The Prince's note is exceptional in style, and its tone is unusually cordial. Instead of enclosing the Minister's card as with his (which is invariably done in notes emanating from the Yamen) this came with the

the Prince's card alone.
The reason for this is apparent:-
— he desired to impress upon me that he takes a special personal interest in this matter; it was also intended to convey the thanks of himself and the Government in a more pointed and emphatic manner than would have been the case had the note been in the usual form.

The kind reception which these youths have met with, and the interest manifested in their welfare, is very gratifying to the promoters of the scheme

for

for sending them abroad.

If the reports from them continue favorable it is not unlikely that the others will be sent faster than was originally contemplated; and also that the total number may be increased.

As Mr Northrop is included in the Prince's note of thanks it seems proper that he should be furnished with a copy of it. A cover to Mr Northrop's address is enclosed herewith. It contains a copy of the note referred to; and, if there be no objection I would thank

thank you to forward it to its destination.

I have the honor to be
Sir
Your obedient servant
Frederick F. Low

Enclosures

No 1 Mr Low to Prince Kung
January 1873

No 2 Prince Kung to Mr Low
January 14. 1873.

Enclosure No 1
Dispatch No 222

Legation of the United States
Peking, January 10th 1873.

Sir:

In a late American newspaper there appears a circular issued by the Board of Education of the State of Connecticut, addressed to the teachers of the Chinese pupils recently sent from here, and a letter from the Guardians and Tutors of the students to the Secretary of that Board.

As these letters may prove interesting to Your Imperial Highness and their Excellencies the Ministers of the Yamên I beg to send them herewith.

The English copy, unaccompanied by a Chinese version, is sent, for the reason that a translation made by the President,

&c

His Imperial Highness,
Prince Kung.

of the Imperial University or some of the students will probably prove more acceptable than one made by translators attached to the Legations.

I may add that, in a recent despatch from the State Department, I am instructed to inform Your Imperial Highness, and also his Excellency Li-Hung-Chang, that the Educational Mission is regarded with much interest by my Government, and that it will afford the Honorable Secretary pleasure to manifest his friendly feeling towards the students should occasion offer.

With renewed assurances of my high consideration,

I have the honor to be
Your Imperial Highness'
Obedient Servant
Frederick F. Low

NEW HAVEN, Oct. 1, 1872.

The response to the call for homes and instruction for Chinese boys has been surprisingly prompt and cordial. One hundred and twenty-two families have offered to receive two each, so that homes are opened for two hundred and forty-four, while as yet only thirty have arrived. The number, and especially the character, of the applicants, show that this liberal and far-reaching plan of the Chinese Government has enlisted the practical sympathy of philanthropists widely over this country. A desire to aid in promoting the progress of the largest nation on the globe, with the hope that these ambitious boys, when disciplined and equipped by the best education which America can impart in a thorough course of fifteen years' study, will become the exponents of a higher civilization and the benefactors of their country, is the explanation of this general interest in their culture.

My new and numerous correspondents propose many questions, which, burdened as I am with official duties, it is impossible to answer in detail. The Commissioners of the Chinese Government will probably reside in Hartford. For obvious reasons the boys are placed in *towns easily accessible to them*. Hence they have been distributed only in Connecticut and Massachusetts, and those in the latter State are in towns not remote from Hartford. Their continuance in each locality will depend upon the progress made. Though in private families, they are expected to have regular school hours for study and recitation. They are still boys, and though studious, exemplary and bright, need strict control, a kind but firm and steady government.

B. G. NORTHROP.

THE CHINESE EDUCATIONAL MISSION.

OFFICE OF CONNECTICUT BOARD OF EDUCATION,
State House, New Haven, Conn., Oct. 9, 1872.

TO THE TEACHERS OF THE CHINESE STUDENTS.

The new Chinese Educational Mission awakens a profound interest, as a prophecy of great progress to the oldest and largest nation on the globe. America congratulates China on the inauguration of this noble work and gives a cordial welcome to these ambitious and earnest students. Every possible effort should be employed to make this experiment a success. If wisely managed at the outset, it will expand into broad agencies and vast results. That nothing may be omitted to give efficiency to this comprehensive and liberal scheme, the following suggestions are submitted for your careful consideration :—

I. These students should have regular school hours for study and recitation, as well as for exercise and recreation. So far they seem to be exemplary, cheerful, studious and promising, but their youth necessitates a parental supervision and watchful control—a kind but firm and steady government. While their habits of prompt and cheerful obedience must be continued, they should be thrown upon their own resources and trained to self-reliance, self-denial, self-command, energy and perseverance and every manly virtue. The Chinese justly despise vacillation and effeminacy. They scorn sloth, love labour and practice industry and economy. Resisting all temtations to indolence, prodigality, fickleness or irresolution, these boys should emulate that patience and persistence and frugality, which are the pride and practice of the true Chinaman.

II. A regular record should be kept of the branches daily pursued, of the progress made, the deportment of each, and any aptitude shown for special studies. If any student should so underrate his privileges as to become irregular in his habits or negligent in his studies, he should be promptly reported to the Commissioners.

III. As these students are preparing for positions of responsibility at home, it is important that they should continue the study of their own language and literature. Hence at least one hour a day will be set apart for each student to devote to the Chinese studies prescribed for him for a period of three months. Thus the knowledge and use of their vernacular will be kept up and enlarged.

IV. Filial piety and patriotism are to be inculcated. Love of country and ambition to become the exponents of our science and culture, and thus the benefactors of their own land, should be an incentive and inspiration to them as soon as they can be led to appreciate their privileges and responsibilities.

V. They should be early instructed in the laws of health, especially as to neatness and bathing, precautions against "colds" in the sudden changes of our climate, protecting the feet and the person, guarding against currents of air, of a sudden chill after violent exercise and when in a persiration.

VI. For the present, Reading, Spelling, Drawing, and Writing, and especially writing simple English sentences, should be their prominent exercises. Geography and Arithmetic and particularly rapid addition and "mental combinations" will soon follow.

The Commissioners will frequently visit and inspect the boys, and the continuance of the boys in each locality will depend upon their progress and improvement.

B. G. NORTHROP.

SPRINGFIELD, Mass., 8th October 1872.

Dr. B. C. Northrop, Secretary of the Board of Education, New Haven, Conn.:

DEAR SIR :—The deep interest you felt towards the young students recently sent by the Chinese Government to be educated in this country, as shown by your energetic and prompt action in securing suitable homes for them, calls for some public acknowledgment of your invaluable services on our part. Permit us, therefore, to tender to you, as we now do, our united thanks, hoping the young students also, when they come to years of discretion, will be able to appreciate your efforts for them in their comparatively helpless condition in a strange land.

We must not fail to mention in this connection, the great pleasure we experienced from the cordial welcome the public has shown towards this educational mission, and we feel especially grateful to those good people who have so promptly responded to the call for homes for those young students, where they are cared for, protected and instructed. It will give us the greatest pleasure to report to the Chinese Government this cordial welcame and this generous treatment which we have received of American people.

We remain, dear sir, your obedient servants,

CHIN LAN PIN.
TSANG HANG CHUNG.
YEH SHU TUNG.
YUNG WING.

Enclosure N° 2
Dispatch N° 222

Prince Kung, Chief Secretary of State for Foreign affairs to His Excellency the American Minister, in reply:

A few days since a note was received from your Excellency stating that your Government regards with much interest the sending of Chinese young men abroad for study, and that the Honorable Secretary of State would take pleasure in rendering them such aid as he could properly. An extract from a newspaper accompanied your note, which was, without delay, sent to the Imperial University for translation.

From these letters, the generous and thoughtful kindness of the Superintendent of Education towards each of the students is plainly apparent. Such generosity is worthy of praise and commendation;

it

it is highly appreciated by this Government and will be gratefully remembered.

When communicating with your Government I beg that you will convey to all who have so kindly manifested an interest in the Educational Mission my warmest thanks.

Such acts of kindness tend to strengthen and make lasting the sympathy and friendship now so happily existing between your country and mine, a fact which will be as gratifying to your Excellency as to me.

With thanks and compliments

(Card of Prince Kung)

January 14. 1873

Encl

Acted 3 April

Ackd 3 April

Wm. Brans



No 223

Legation of the United States
Peking, January 18, 1873

Frederick F. Low
to
Department of State



Subject

Audience question.

States that no information can be gained as to the course the Emperor will pursue when he attains his majority; adheres to his former expressed opinions on the subject.

No 223

Legation of the United States
Peking, January 18, 1873

Sir:-

It was, perhaps, not unnatural to suppose that, as the time approached for the Emperors assumption of personal authority some indication, as to the course he would pursue with reference to the claims that are almost certain to be advanced by foreign Governments looking to a recognition of diplomatic equality, would be given.

Hon Hamilton Fish
Secretary of State

The

The fact is however that nothing has yet appeared which affords the slightest clue to the decision that has been come to concerning these questions. The Prince and Ministers are reticent, and when the subject is broached they decline to discuss it. In my personal interviews with the Ministers recently the subject has not been alluded to for the reason that, in my opinion, it is the wiser and more dignified course to abstain from such discussions until the appropriate time arrives.

Some of my colleagues, not

not agreeing with me in this opinion have endeavored to obtain from the Yamen, if not a promise, some decided opinion. All their efforts in that direction have been met by the same answer:— "we cannot "assume to discuss the question, "much less decide it; it is one "which the Emperor can only "decide when he assumes the "duties of Sovereign de facto".

The French Minister informs that he has commenced discussing with the Yamen the points of treaty revision. His chief object is beginning the discussion

now

is to reach the Audience question through the second article of the French treaty of 1858.

It may be doubted whether this discussion will result in any good

I see no reason to modify the opinions expressed in previous despatches concerning this subject. Time, and time alone, will determine whether I am correct or not.

I have the honor to be

Sir

Your obedient servant

Frederick F. Low

Acknowledge
Dispatch 3 / Vol.

Transmit to Treasury for information - to be returned.

Dr. Badeau

DEPARTMENT RECEIVED MAR 29 1873 OF STATE

Dis. no 21 dated

No 224 One Enclosure

Legation of the United States
Peking, January 21, 1873.

Frederick F. Low

to

Department of State

Subject

Transit Papers inward and outward, and Drawback Certificates

Encloses a new draft of Rules for regulating the issue of such documents.

No 224 One Enclosure

Legation of the United States
Peking, January 21, 1873

Sir:-

My No 149 of 23d April last was accompanied by a translation of a despatch from the Foreign Office, submitting the draft of a number of Rules for regulating the issue of Transit Papers inward, and Drawback Certificates for foreign goods re-exported. You were informed that the Rules in question had not been definitely

Hon Hamilton Fish
Secretary of State

definitely decided on by the Yamên, nor had they received the assent of the foreign Legations. I also stated that it was not unlikely the Rules would undergo modification before they would be accepted as a proper measure for controlling and regulating the business for which they were intended.

A copy of the Regulations was sent to the Consul-General with the request that he would furnish me with such information as he possessed bearing upon the subject. He in turn referred them to the Shanghai Chamber of Commerce.

Some

Some weeks after I received a letter from the Chamber, in which the questions involved were discussed intelligently, and, in the main, fairly. A copy of that letter was enclosed in my № 171 of July 10, 1872.

I have now the honor to transmit herewith translation of another despatch from the Foreign Office upon the same subject. The despatch was accompanied by a revised draft of the Rules before referred to, and additional ones for regulating the issue of Danish Passes outwards.

The former you will observe have

have been materially modified. They are, however, susceptible of still further improvement without endangering in the least the legal and legitimate revenues of the Chinese Government.

As stated in my No 149 the restriction of time within which drawback certificates for foreign goods re-exported can be claimed is, in my view, a clear modification of treaty rights, which can only be made permanently binding by the formal assent of all the Governments concerned. The limit proposed,— thirty months— is, however, ample for

for all legitimate purposes;
and if the other Rules are
made acceptable I shall not
object to the drawback rules
being put into operation—
tentatively, until the question
can be submitted to the several
Governments interested and their
decision made known.
My assent, will however not
be given in any event unless
all the foreign representatives here
join me in it.

With reference to the
question of Transits for native
produce from the interior
to the ports, I feel bound to
say that the Chinese have a

right

right to complain of the evils and inequalities of the system now in force. The Rules proposed are I regret to say unnecessarily cumbersome and unreasonable; and if put in force would practically put a stop to the purchase of produce inland by respectable and responsible merchants. In the interest of all concerned I shall insist upon such modifications as will, at least, place the honest merchant on an equal footing with the unprincipled one,

No discussion of the question has taken place since

since the receipt of the Yamens communication, now will there be an opportunity afforded for doing so until after the holiday vacation of the Chinese, which occurs annually at the beginning of the new year.

The Transit Pass system is, in the main, working very well now; and instead of burdening it with new and intricate regulations, it will, I think, be the wisest plan to defer action on the proposed Rules until after the revision of the French and German treaties shall have been completed. In this view ~~I~~ most of the

the foreign representatives agree; therefore it is not likely that any material change in the present <u>status</u> will occur for some months, unless the Government should strenuously insist upon putting the new Regulations into operation at once, which is hardly probable.

The discussion of commercial questions during the last two years has been productive of much good; experience during that time has also taught the Chinese officials many useful lessons. It is therefore not unreasonable to expect a gradual relaxation

of

of the restrictions upon foreign intercourse and trade in the future, provided no political crisis occurs and the personal of the Foreign office is not materially changed.

I have the honor to be

Sir,

Your obedient servant

Frederick F. Low

Enclosure

No 1. Despatch from Prince Kung to Mr Low, enclosing the draft of several Rules for regulating Transit Passes and Drawback Certificates

December 25. 1872

Enclosure No 1
Dispatch No 224

Peking, December 25. 1872

Prince Kung, Chief Secretary of State for foreign affairs herewith makes a communication.

In December 1871 Mr. Hart, Inspector General of Customs, submitted to the Yamên the draft of a series of regulations concerning Drawback Certificates, Transit Papers for foreign goods going into the interior, and Passes for the conveyance of native produce to the ports.

The Yamên, after repeated discussions with Mr. Hart concerning these questions, provisionally submitted to your Excellency, in March 872, drafts of rules for regulating the issue of Drawback Certificates and Transit Papers inward. You were informed

His Excellency
Frederick F. Low
U. S. Minister, Peking.

at

at the same time that the three questions would be referred to their Excellencies the Superintendents of Trade, who would instruct the Customs Intendants to carefully consider them. The Inspector General of Customs was also instructed to again confer with the Customs Intendants concerning this subject and report to the Yamen the result. You were also informed that as soon as replies were received from the officials before mentioned, the Yamên after having examined the reports, would communicate the decision which might be come to, with a view of requesting Your Excellency to issue instructions to your nationals to comply with the regulations agreed upon.

I have now the honor to inform You that communications have been received from their Excellencies the Superintendents of Trade, and a report from the Inspector Genl.

of

of Customs, to which are appended a draft of the Rules that have been agreed upon between them and the Customs Intendants for regulating the issue of Transit Passes, inward and outward, and Drawback and Exemption certificates. The Yamên has again examined the questions, and modified the Rules in some particulars, of which the Superintendents of Trade and the Inspector General will be duly informed.

I now have the honor to submit, for Your Excellency's examination a copy of the modified Regulations, and beg to request that you will favor me with an early reply.

I.

Drawback and Exemption Certificates.

P. 1.

When merchants report duty paid foreign goods for re-export, the Customs will satisfy themselves of the identity of the goods, and if not more than thirty months have elapsed since the original entry will grant a drawback.

Applications for drawbacks made after the expiration of 30 months will not be granted even though actual shipment of the goods was made within the limit. If the goods be found to be other than those originally imported, the right to drawback will be forfeited and the goods confiscated.

P. 2.

Duty paid foreign goods reshipped to a treaty port (the non collecting import duty Yangtze ports excepted) will be given either Drawbacks or exemption certificates

certificates, according to the merchant's application. But when more than 30 months have elapsed since the original entry only exemption certificates are to be issued.
In either case the general Rules affecting drawbacks or exemption certificates apply.

P. 3.

If the merchant applying for a drawback or exemption-certificate be other than the original importer the application must bear not only his own signature, but also that of the original importer.
But the signature of the latter is not required, if his establishment should, in the mean time, have been closed, in which case the identification of the goods to be re-exported is sufficient.

P. 4.

All applications for drawback and exemption certificates on foreign goods that are to be re-exported

re-exported, must be made before the ships port-clearance is issued, and will be granted on the identification of the goods.

Applications made after the vessels clearance cannot be attended to.

II

Transit Passes, Inward.

II. 1.

By Treaty, Chinese as well as foreign merchants may apply to the Customs direct for Transit passes for foreign goods, and carry the latter into the interior without payment of additional dues.

The goods must be of bona fide foreign origin. Native produce although carried from one Treaty port to another in foreign vessels and paying duty according to the foreign tariff do not come within the operation of this rule.

Applications must state in writing minutely the denomination and quantity of the goods, as well as the place of destination in the interior and sign such statements with their own names. The Customs on ascertaining that the goods are really foreign and that their quantity is the same as stated in the manifest will issue

issue the proper Transit Pass.

Should a merchant convey goods covered by a Transit Pass into a Province other than that for which the Pass is issued, the document will lose its validity and the goods will be liable to local taxation.

Such Transit passes are merely valid en route, as a protection from a port to a specified point in the interior. On arrival of the goods at their destination the transit passes, even though unexpired in point of time, according to Rule 4. must be surrendered to the nearest Custom station or barrier, or if there be no Barrier to the Magistrate of the locality. After the goods have been landed and stored they will be subject to all the customary local Lekin taxes, although still covered by an unsurrendered pass, but it will not be legal to collect Lekin taxes

for

for the journey already accomplished.

No. 2.

Foreign goods conveyed into the interior without a Transit Pass must pay dues and Interior taxes at all Customs stations and Barriers en route.

Goods accompanied by a Transit Pass, must be conveyed by the usual route to their destination.

If they leave the direct route, without a proper cause assignable they will be subject to the ordinary dues and duties.

Chinese merchants conveying foreign merchandise under Transit pass into the interior are not to use any kind of foreign flag on pain of confiscation of the goods.

No. 3.

Persons conveying foreign goods under Transit pass into the interior will produce this document at all the Customs stations, en route, for inspection. The authorities

upon

upon having ascertained that the pass and the goods correspond, that the conveyance really consists of foreign merchandise, and that no groundless deviation from the proper route has taken place, will then stamp the Pass, and the goods will be permitted to continue their journey without additional payment of dues.

Any foreign goods not entered on the pass must be reported on arrival at the Barriers without delay in order that the proper dues and duties may be levied thereon.

If report be not made previous to the examination the goods in question will be confiscated. If the goods conveyed are other than those mentioned in the Transit pass which accompanies them, or if native produce has been declared as foreign merchandise, the goods concerned will be seized and confiscated, and the facts reported to the Customs that issued the Pass.

The Customs on issuing Transit Passes will endorse on them a term within which such passes will be valid, according to the distance of the place of destination indicated by the merchant. For the province in which the pass is issued the term will be 50 days; for an adjoining province 100 days; and for remote provinces 200 days.

The pass is valid for one consignment of goods only; and should it be attempted to convey a second consignment under protection of a pass, the goods will be confiscated, even though the term of time mentioned in the pass has not expired, and the merchant will forfeit the right to receive passes in the future.

If, after the expiration of the term, the Transit Pass be not given up, or if it is wilfully concealed after having been used, the Customs Stations, or local

authorities

authorities concerned will report the fact to the Maratime Customs who will make note of the merchant so offending and issue no Transit Passes to him in future.

Notice of the term during which each pass is valid will be communicated to the Local or Customs Authorities at the place of destination, who, on arrival of the goods and surrender of the pass will transmit the latter to the Customs by whom it was issued.

III.

Transit Certificates Outwards.

P. 1.

Foreign merchants desiring to go into the interior to purchase native produce for export to foreign countries may apply to the Customs for a permit. In their applications they must state that the goods to be purchased are for bona fide export to a foreign country, in default whereof they will pay the fines prescribed herein. The application must be duly signed, and must state the provinces, districts and market towns to be visited, and what goods it is proposed to buy: also whether the merchant himself will go, or send an agent.

The Customs will thereupon issue a blank Manifest in duplicate, and one blank Transit pass - all three forms being on the same sheet of paper. The Merchants application

will

will be kept by the Customs and registered for future reference.

P. 2.

When the merchant, provided with the document before mentioned, has arrived at the cities or market places named and has completed his purchases, he will fill up the blank manifests, entering on their face the name of the firm, the name of the person in charge of the produce, and the number of the packages, weight &c of the produce. On arrival at the first Customs station on his way to the port, the papers before mentioned are to be surrendered; if the produce is found to agree with the entries in the manifests, they will be retained by the barrier, and the Transit pass duly filled up to correspond, dated & sealed, will be returned to the merchant who will then be at liberty to continue his journey.

At every barrier on the way this transit pass will be exhibited, and the produce submitted to examination.

On

On finding everything in order, the barriers will countersign and return the certificate and release the goods.

If any goods are found not entered in the Transit-pass, or if the goods are less in quantity than the pass sets forth, the barrier will seize and confiscate, and communicate the facts to the Customs that issued the permit.

On arrival at the barrier nearest the Port, the merchant will hand in the Transit pass, and pay the Transit dues. Thereupon the Customs will issue a receipt for the Transit dues, and authorize the barrier to release the goods.

If the merchant, when en route to the Port, refuses to submit the produce to examination, or if he passes the last barrier without paying Transit dues, the merchandise conveyed will be confiscated.

Merchants unprovided with a Transit pass, purchasing produce

in

in the interior will pay the ordinary dues and duties at all the barriers, nor shall certificated and uncertificated produce be simultaneously taken to a barrier on pain of confiscation.

P. 3.

Merchants having arrived at a seaport with native produce, and having paid the Transit dues, are to export the same, paying Tariff export duty within twelve months. If at the expiration of this term the goods shall not have left port, the merchant will be granted an additional month, provided, always that he be able to give valid reasons for the delay.

If at the end of 13 months, the produce is still unexported, or if it has been disposed of at the Port the Customs will collect from the Merchant, who applied for the permit under which the produce was brought from the interior, ten times the Transit dues, to make up

for

for the dues and duties which would otherwise have been collected on the way.

It must be borne in mind that all inland produce thus conveyed under cover of transit certificates, can be transported to foreign countries only. In case however, a merchant desires to take such goods to another Treaty port, he will, regardless of the term of 15 months, before being allowed to do so, be fined as follows;

1. the amount of the levied transit duty;
2. the full export duty from the port of departure;
3. the half import duty on arrival at the port of destination.

Goods reported for export, but taken to another Treaty port will be confiscated.

Pr. 4.

Merchants taking out permits, if for the same province, will be allowed 100 days; if for an adjoining province

province 200 days; and if for a distant province 400 days from the date of issue of the permit to the day of returning the Transit certificate and payment of Transit dues.

Merchants who fail to return Transit certificates within the time named will forfeit the right to such certificates in future.

The time allowed will be marked on the face of each certificate, and corresponding information will be given to the Customs and local authorities of the parts designated for the purchase of the goods.

If the surrendered Transit-certificates are found not to be countersealed by the barriers passed on the way, the stipulations of Rule 2. concerning the omission of declaring goods at all Customs stations along the road will be applied to such merchandise & the whole will be confiscated.

Of the duplicate manifests severed from the Transit certificate at

at the first Customs station, one will be kept for purposes of record, while the other will be remitted to the Maritime Customs who originally issued these documents.

The Customs, in turn, will transmit, each month, to the Tsung li Yamên for inspection, such manifests as have been disposed of by the deliverance of the corresponding Transit Passes on arrival of the inland-goods at the sea port in question.

Rec'd

Article 3 Afric



Acknowledge. The news of the Lay already announced

Mr Bedan

No 225

Legation of the United States

Peking, January 28th, 1873

Frederick F. Low

to

Department of State

Subject

The resignation of Genl Le Gendre as Consul at Amoy, and his appointment in the service of the Japanese Government.

Thinks the U.S. will lose more than it will gain by such appointments.

No 225

Legation of the United States
Peking, January 23, 1873.

Sir:-

I have just received a despatch from our Minister in Japan, in which it is stated that Genl C. W. Legendre, Consul at Amoy, has resigned his position in the service of the United States, and accepted a commission from the Japanese Government as "an "officer of the second (Departmental) "rank". He is stated that he will occupy the position

How Hamilton Fish
Secretary of State

of

of "Councillor" in the new Japanese Embassy, which is expected to leave for Peking sometime in the present month.

It appears that the policy of the Japan Government has been materially changed since Mr De Long's last despatches to the Department concerning this matter, for he now writes that, "no military "or naval preparations will be "made, and the Embassy will "go forth with its objects so "modified that no trouble may "be anticipated.

Mr De Long bespeaks for the Embassy my good offices

to

to aid it in any way I can consistently and properly, which I shall take pleasure in doing.

If our Minister is correctly informed as to the policy of the Japanese Government, and the objects which the Embassy are expected to accomplish, the objections mentioned in a previous despatch upon the subject, to General Le Gendre entering the service of Japan lose some of their force.

I am, however, firmly impressed with the conviction that the employment of our citizens in such delicate positions will prove of doubtful utility, and should

should not be encouraged.
In the present instance the
Embassy will subject itself
to the suspicion, and probably
the secret opposition, of the
other Treaty Powers; and it
will be difficult to convince
the Chinese that the United
States are not in league
with Japan for some ulterior
purpose. I am inclined
to believe that Japan will
lose more than she will gain
by Genl Le Gendre's knowledge
and advice; and also that
what we may gain in
prestige with Japan will be
more than offset by the
damage

damage that will accrue through the jealousies and suspicions of the Chinese and the other treaty Powers.

I have the honor to be

Sir,

Your Obedient servant

Frederick F. Low



Ackd 3 April

No 226

Legation of the United States
Peking, January 24, 1873
Frederick F. Low
to
Department of State

Subject

Reception of Department despatches and circulars.

Acknowledges receipt of despatches Numbers 104, 105, 106, and 107, and Circulars Nos 26 and 27.

Ackd Ackd Apl 21 Mr Berdan



Confidential

No 227 One Enclosure

Legation of the United States
Peking, February 1st, 1873

Frederick F. Low

to

Department of State

Subject

French Expedition to Corea in 1856, and a proposition made by Mr Seward to France in 1867 for an alliance between France and the United States with a view of sending a joint expedition to Corea.

Reports

Reports the substance
of a conversation with the
French Minister upon these
subjects, and encloses copy
of the draft of a dispatch
from the French Government
to M. Berthemy at Washington
in reply to the proposition which
had been made by Mr Seward

Confidential

No 227 One Enclosure

Legation of the United States
Peking, February 1st, 1873.

Sir:-

In a conversation recently with the French Minister, Corean affairs were mentioned and the policy of Western Nations respecting that Country briefly discussed.

In connection with this subject M de Geofroy gave me some interesting information concerning the French Expedition of 1866, which explains the action of Hon Hamilton Fish Secretary of State

action of the French Government, which has hitherto seemed mysterious and contradictory. Hints and insinuations to the same effect had been thrown out by the late Chargé d'affaires, but as it was impossible to verify their accuracy, I did not deem it advisable to communicate the rumors to the Department.

It appears that the French Expedition of 1866 against Corea was undertaken by the Admiral in command in these seas, upon the advice of M. Bellonet, then Chargé d'Affaires in Peking, without consultation

consultation with, or orders from the home Government. When the report that such an Expedition was contemplated reached Paris instructions were despatched to Admiral Rozo directing that no movement be made without positive orders. These despatches did not arrive in China until after the Expedition had started, and of course did not reach the Admiral until after his return from Corea.

When the report of the Admirals operations reached France the Government disapproved of the whole affair and censured

the

the principal actors in it.
This understood that the
Admiral was relieved of his
Command and suspended, pend-
-ing an enquiry which had
been ordered, and Mr Bellonet
was recalled from Peking.
This action of the Government
coupled with the published
reports of the Expedition, caused
the public to believe that the
French arms had suffered
an ignominious defeat, which
the opposition in the Corps
Legislatif were not slow to
take advantage of; and as
a natural consequence emplea-
-sant and embarrasing questions

were

were propounded to the Ministry touching the causes of the disaster in Corea as well as Mexico; pointed enquiries were also made as to ~~and aggravating~~ ~~to know~~ ~~which~~ the course the Government proposed to pursue to restore the prestige of France and vindicate her honor.

The Executive Govern-
-ment finding it difficult to answer these interrogatories chose a new line of action:- It was suddenly discovered that the first reports about the defeat of the Corean Expe-
-dition were erroneous; that the Command of Admiral Rozy instead of suffering defeat,

had

had severely chastised the Corsans; that the outrages inflicted by that people upon the Missionaries had been effectually and amply redressed; and that the dignity and honor of the Government had been fully vindicated.

As a natural result of this change of position Admiral Roze was reinstated and promoted, and M Bellonet was assigned to a new and better post.

In the conversation referred to M de Geofroy disclosed another interesting piece of information, which though quite new

new to one is without doubt
well known to you. I refer
to a formal proposition made
to the French Government for
a joint Expedition to Corea.
If I am correctly informed
such a proposition was made
by Mr Seward, late Secretary
of State, early in 1867, to the
French Minister in Washington,
with the request that he
would submit it to his
Government and get an answer.
It was proposed to organize
and send a joint Expedition
(American and French) strong
enough to conquer Corea.
Details were not discussed.

One

One proviso only was strongly insisted on by Mr Seward: — that England should not, under any circumstances be permitted to join.

M Berthemy despatch conveying Mr Seward proposal reached Paris about the time that the events previously referred to were happening, and of course the Government determined at once that the proposition could not be entertained; and M de Geofroy, who was at that time an Under Secretary in the Foreign Office, was directed to frame a despatch in reply which would embody the views

of

of the Government. The draft was submitted to the Cabinet, who, after making some unimportant changes in the phraseology without altering the sense, directed it to be copied and sent. M Geoffroy has in his possession the original draft, which he showed me confidentially; he has also allowed me leave to take a copy of it; and, as it may interest you to see the instructions sent on that occasion I beg to enclose a copy. I have the honor to be

Sir

Your obedient Servant

Frederick F. Lord

Enclosure

No 1 French Minister of Foreign affairs to M Berthemy.

March 1867

Enclosure No 1
Despatch No 227

M. Berthemy à Washington.

Mars 1867.

Mr, Vous m'avez fait l'honneur de m'écrire le 3 de ce mois que le Gouvernement des Etats Unis projetant une expédition destinée à venger l'incendie du bâtiment de commerce Américain " le Gal Sherman " et le massacre de son équipage par les habitants de la Corée, M. le Secrétaire d'Etat Seward vous avait demandé si nous serions disposés à nous y associer afin d'obtenir pour notre part une satisfaction plus complète du meurtre de nos Missionnaires et de contraindre ensuite les Coréens à accepter un traité conforme à ceux qui ont été conclus avec la Chine et le Japon.

Les forces navales de S. M. ont au mois d'Octobre dernier infligé à ces populations une leçon dont nous avons lieu de croire qu'elles conserveront le souvenir, et que nous considérons comme un châtiment suffisant, ainsi que vous l'avez justement pressenti

et

et indiqué par avance dans votre
conversation avec M. Seward. Ce coup
de main, car l'expédition de M. l'Amiral
Roze ne devait pas avoir d'autre caractère
à été exécuté à son heure immédiatement
après l'attentat qui l'avait appelé.
Sans doute, si à cette époque la pro-
position qui nous est faite aujourd'hui,
avait eu l'occasion de se produire,
nous l'eussions volontiers accueillie.
Il ne nous eut pas été indifférent
de profiter de cette circonstance pour
affirmer par l'union des deux pavillons
cette entente au rétablissement de
laquelle nous avons en dernier lieu
employé tant d'efforts, et à ce point
de vue nous adhérons sans réserve
aux idées développées par M. Seward.
Mais nous avons le regret de ne
pouvoir pour cette fois concourir à
l'application qu'il avait projeté d'en
faire. Reprendre aujourd'hui l'expé-
dition de Corée serait forcément lui
donner une extension qui n'a jamais
été dans notre pensée, surtout s'il
s'agissait de la conduire jusqu'à

imposer

imposer un traité au Gouvernement de ce pays, et par conséquent d'aller le forcer au coeur de ses défenses. L'affaire pourrait être longue et compliquée. Dans ces conditions nous ne saurions songer à la tenter sans en donner préalablement connaissance au corps législatif. Or, nous ne pouvons nous dissimuler que le sentiment public est peu favorable en France à une entreprise de cette nature dont il serait difficile de prévoir la durée et la limite. Il ne manquerait pas de s'inquiéter de celle qui nous est proposée et peut-être n'en saisirait-il pas bien l'opportunité. Moins que personne M. le Secrétaire d'Etat des E. U. pourra donc s'étonner de ce que le Gouvernement de l'Empereur ne croit pas pouvoir s'exposer aux difficultés que lui créerait une initiative en désaccord avec l'opinion du pays.

Le Gouvernement de l'Empereur n'en apprécie pas moins l'intention amicale qui a inspiré les ouvertures de M. Seward, et il y voit un témoignage

de

de cordialité dont je vous charge de le remercier. Vous voudrez bien aussi lui faire connaître que nous formons des voeux pour la réussite de l'expédition projetée et que, si en châtiant un acte de barbarie les armes des Etats Unis parviennent à réaliser un progrès nouveau et à faire faire un pas de plus à la civilisation dans ces contrées lointaines, nous serons les premiers à nous en réjouir et à y applaudir.

Circular modified so far as China & Japan are concerned
W. Bentley

EWJ

Mr. Low & Mr. DeLong so informed 7th May.



No 228

Legation of the United States
Peking, February 4, 1873

Frederick F. Low
to
Department of State

Subject

Department Circular
No 26.

States the difficulties in the way of complying with the instructions, and asks that the Legation in China may be exempted from the rules prescribed.

No 228

Legation of the United States
Peking, February 4th, 1873

Sir:-

Strict compliance with the instructions contained in Department Circular No 26 of 28th October last, will occasion this Legation much inconvenience. It would perhaps be more exact to say that it will be practically impossible to do so.

The expenditures for the several quarters cannot be

Hon Hamilton Fish
Secretary of State

be equalized, for the courier service, which consumes no inconsiderable portion of the total amount, is all required, and for which payment must be made, during eight months of the year. The same is practically true of most of the other expenditures; — they are all necessary during the season when the water communication with Peking is open.

The inconvenience, trouble and risk of negotiating drafts should cause their number to be diminished rather than increased; for Shanghai, the nearest

nearest place where drafts on Europe or America can be sold, is about 1000 miles from Peking, and it ordinarily takes one months, and in Winter much more, to communicate with that place and get a reply. And besides the mail service between Tientsin and Shanghai is performed gratuitously by the Steamers, so that if a valuable letter be lost there is no responsibility and therefore no redress.

Heretofore the annual accounts for contingent expenses have included the payments made in each year, from

from the 1st January to 31st December inclusive. The last account was for the year ending 31st December 1871; the next one will, under the instructions, be made up on the 30th June 1873, and will cover the term of Eighteen months. It is therefore necessary to enquire whether it is intended that the £500. annually allowed shall cover the whole term of One and a half years or whether an additional sum will be allowed.

In this connection I may be permitted to observe that

that the annual allowance of $500. (which actually yields but little over $450) is too small, and should be increased. It is true that this sum has been made to cover the annual contingent expenses for several years, but in order to do it the Minister has been obliged to rely upon the other Legations and the Chinese Government for gratuitous services which cannot be reciprocated; he is also obliged to pay many bills from his private funds which should properly be a charge upon the contingent fund.

To be obliged to depend upon

the

the Kindness of ones neighbors
for the performance of
gratuitous services has its
inconveniences; it cannot
however be well avoided unless
the Minister is prepared to allow
a considerable drain upon
his own pocket to pay bills
which properly should be
paid by the Government, or
an increase be made in the
Contingent fund.

A mere statement
of the peculiar situation and
necessities of this Legation
will, I trust, convince the
Department of the propriety
and justice of the request.

I have

that it may be exempted from the rules laid down in the circular before referred to, and that an increase in the annual allowance for contingent expences be made.

I have the honor to be
Sir,
Your obedient Servant
Frederick F. Low

Ack
Sec'y says Ch Consulate remain as it is —
No 229

Mr Ward to Mr Bacon
Ack 5 Sept.



Legation of the United States
Peking, February 10, 1873
Frederick F. Low
to
Department of State

Subject

Consular jurisdiction over the island of Formosa.

Thinks it should be given to the Consul at Foochow; and recommends that an enquiry be instituted with a view of ascertaining the facts in the case.

No 229

Legation of the United States

Peking, February 10, 1873

Sir:

I have for some time been convinced that the jurisdiction over a portion or the whole of the Island of Formosa should be transferred to the Foochow consulate. I have, however not thought it advisable to recommend any change of jurisdiction while Genl Le Gendre occupied the post of Consul at Amoy, for the reason that he seemed

Hon Hamilton Fish to

Secretary of State

to have made Formosan affairs a special study, and, as the legitimate business of the Consulate Army was inconsiderable he could, if so inclined, give more time and attention to the business of that island than any other person. Another reason was, that Genl LeGendre would be likely to consider any curtailment of his jurisdiction and authority a reflection upon himself personally, and the question did not seem of such pressing importance as to justify a recommendation to the Department, which, if acted on would wound the sensibilities of

of that official.

The post of Consul at Amoy being now vacant it seems an appropriate time to bring this subject to your attention. I have therefore to recommend that the Consul General be instructed to ascertain and report to the Department the facts in regard to the trade of Formosa and its political relations with the Consulate and Provincial Government, with a view of forming an accurate opinion as to whether our interests would be promoted by the transfer of the jurisdiction over a portion or the whole

of

of that island to the Consul at Foochow. It might perhaps be advisable to attach the port of Tamsui to the Foochow Consular District pending the investigation of the subject.

My reasons for suggesting the enquiry and probable change of jurisdiction are:

1st Because Foochow is much nearer to the open ports in Formosa than Amoy;

2d Because the government of the island is subject to the control of the provincial authorities of Fokien province of which Foochow is the Capital, and it is obvious that business requiring

requiring correspondence or
consultation with the Viceroy
and other high officials can
be more promptly and con-
=veniently attended to by the
Foochow Consul than the
one resident at Amoy; and
&c Because the Consulate at
Foochow is relatively of much
greater importance than the
one at Amoy, and it is
fair to assume that it
will be more ably repre-
=sented both in the person
of the Consul and Interpreter.

I beseech for
this matter the careful con-
=sideration of the Department.

I

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Ack^d

Mr Berdan

No 220



Legation of the United States
Peking, February 12, 1873
Frederick F. Low
to
Department of State

Subject

Reception of Department despatches.

Acknowledges the receipt of Numbers 108, 109, 110, 111 and 112.

No 220

Legation of the United States
Peking, February 12, 1873

Sir:-

I have the honor to acknowledge the receipt of Department despatches numbered 108, 109, 110, 111 and 112.

I am Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State.

Ext

To Treasury - request to return April 21 M. Burdett

Dis as ord. this

Extract

No 231 4 Enclosures

DEPARTMENT RECEIVED APR 21 1873 OF STATE

Legation of the United States

Peking, February 20, 1873

Frederick F. Low

to

Department of State

FOREIGN Relations 1873

Subject

Transshipment of contraband goods in Chinese ports.

States that rules by which such transshipments can be made have been agreed upon, and encloses copies and translations of the material

material portions of the corres-
-pondence with reference to
the subject. Suggests
that the Treasury Department
be informed of the new
regulations.

No 231 11 Enclosures

Legation of the United States
Peking, February 20, 1873

Sir:-

The third Commercial Rule appended to the Treaty of 1858 designates munitions of war and salt as contraband, which can neither be imported nor exported.

About a year ago a quantity of shell, ordered by the Japanese Government through an American House arrived at Shanghai, en route

Hon Hamilton Fish to
Secretary of State

to their port of destination,
— Nagasaki. Notice was
given to the proper authorities
that such goods were on the
way, and, when the ships
arrived application was made
for permission to tranship
them. The Customs' Authorities
refused the permission asked
for and seized the goods.
The case was tried by a properly
constituted Court and a decree
of confiscation rendered.
Subsequently, through the intercession
of the Consul-General, and
upon the owners giving a bond
in the full value of the goods,
they were released and reshipped

to

to their destination. The condition of the bond was, that the case should be referred to Peking for re examination by the Yamen and the Legations, and if after such examination it should be decided that the seizure and confiscation were warranted by the terms of the Treaty, the sum named should be paid without further question.

The owners of the goods were not charged with fraud or evasion; on the contrary it was conceded that they acted in good faith, not supposing that the bringing of contraband goods into a treaty port merely for

the

the convenience of reshipping
them to foreign countries wou
subject them to confiscation
or the owners to any other pena

In presenting the
case to the Yamen I asked
for the cancellation of the bon
and also that a definite
Rule should be made and
promulgated for regulating
transshipment of such good
in the future.

After considerable
discussion it was agreed tha
the bond in question should
be cancelled; the Yamen
conceding the point on the
score of equity alone. This

Concepion

conception was coupled with a declaration that after a certain date transhipments would not be allowed, and that if contraband goods arrived after the time named they would be confiscated. (Enclosure No 1)

To this I replied (enclosure No 2) objecting to the proposed Rule as being in conflict with treaty rights, and declining to issue orders to the Consuls in accordance with the Yamens request. Further discussion and correspondence ensued, in which the position on either side was restated

and

and the question argued without reaching any definite result.

In a note received a few days since from the Yamen (enclosure No 3) the Ministers indicate that they are ready to abandon their position; that they now propose to allow transshipment of munitions of war upon conditions, which practically concedes all that has been contended for.

To this I have replied (Enclosure No 4) accepting, with certain reservations, the proposition.

The question is, I trust, practically settled in a manner which

which will facilitate trade,
and at the same work no
injury to the Chinese Government.

The effect of all this
will probably be that most
of the war material needed
for Nagasaki and ports in
the Inland Sea will come to
Shanghai for reshipment, and,
as American Steamers practically
control the carrying trade
between Shanghai and those
ports, it is obvious that this
arrangement ~~will~~ will prove
of considerable value to our
commercial interests.

In view of the
facts above stated, I would
respectfully

respectfully suggest that the Treasury Department be informed of the new regulation.

I have the honor to be
Sir,
Your Obedient Servant
Frederick F. Low

Enclosures

No 1 Ministers of the Yamen to Mr Low June 21. 1872

No 2 Mr Low to Prince Kung June 28. 1872

No 3 Ministers of the Yamen to Mr Low Jany 21. 1873

No 4 Mr Low to Prince Kung February 1873

Enclosure No 1
Despatch No 231

Peking June 21st 1872

Your Excellency is aware that some time ago the Tsung li Yamên sent instructions to the Superintendent of Trade and the Inspector General of Customs to investigate and decide in concert with the Taotai of Shanghai the claim against the China and Japan Trading Company growing out of the importation and transshipment of 84 cases of shell

On the 15th instant we received a communication from the Superintendent of Trade in which His Excellency states that Mr. Hart after his arrival at Shanghai wrote on the 27th April to Taotai Shêh to inform him that the object of the importation of shell by the aforementioned Company had actually been to transship these goods for conveyance to Japan: permission ought therefore to be given to send them on, and the

His Excellency
Hon T. T. Tsou
&c &c &c

bond

bond issued by claimants should be cancelled, but this case having been settled, no further importation of munitions of war ought to be allowed.

Mr. Commissioner Klieb issued his first notification on the 30th July 1871 thinking that it would come to the knowledge of everybody near and far. It seems advisable, however that Mr. Klieb should now publish another notice to the effect that munitions of war arriving from foreign ports at Shanghai, will, after having been duly reported to the Customs, either be sent off again in the same vessel, or allowed to be transhipped for reexportation — but all on condition that the vessel has sailed from the foreign port before the 7th May 1872. If, however, munitions of war should arrive within the limits of the port of Shanghai in any vessel which left home after the beforementioned date

such

such goods will neither be allowed to leave again in the same vessel, nor to be transshipped and reexported, but will be regarded as contraband and forthwith seized and confiscated by the Customs. Thus a uniform rule will be established and the merchants will understand that a violation of the rules takes place, as soon as a vessel with munitions of war on board enters the limits of the port, though no landing of these goods be effected; and they will further understand that, the transshipment of munitions of war being interdicted, it is of no use to import these articles with a view of shifting them from one vessel to another.

These propositions of the Inspector General were communicated to Mr. Hick by Shêw Taotai, and a definite course of action will be decided upon as soon as Mr. Hart, who

who left for Kuangtung on the 4th inst may shall have returned.

The Tsung li Yamên beg to add the following remarks.

Rule 3. of the Treaty distinctly prohibits the export and import of contraband-goods, and although transshipping such goods is different from selling them, the fact is, they have been transported to the place, and not less a fact that they have been imported and exported. Even granting that nothing but the simple transshipment takes place, and no fraudulent action be intended or perpetrated, yet such action constitutes, properly speaking, a violation of the Treaty prohibition.

Now as regards the claim of the China and Japan Trading Company, the Inspector General has ascertained that nothing but the transshipment of the goods in question was intended, and that otherwise no irregularity was connected with the affair. we shall therefore in this case follow

an

an exceptional course of forbearance and release the goods without a fine as well as allow the bond given by the Company and deposited with the Customs to be cancelled. To effect, however, an efficient arrangement, it will be necessary hereafter set distinct bounds with regard to the importation of the forbidden article, and to draw up a special and severe rule based on the Treaty regulations.

The Inspector General's proposition to let the Commissioner of Customs issue a notification informing the merchants that the 7th May is the limit by which it will be decided whether munitions of war are to be released or confiscated, is not only distinct, comprehensible and easy to apply, but it also prevents the merchants from committing errors at the outset, and thus subjecting their goods to seizure and subsequent embarrassment.

While

While insisting upon this prohibition, founded on Treaty rules, we at the same time show our willingness to make allowance for the merchants.

We have sent a reply to H. E. the Superintendent of Trade who will instruct the Taotai that, as soon as the Inspector General shall have returned from Kiang ling to Shanghai, he is to meet him and they are to effect the publication of the proposed decree.

We request Your Excellency likewise to give notice of this arrangement to your Consul.

The date mentioned, however, being already past, the Inspector General will, after his return to Shanghai, again have to decide in concert with the Taotai what other month shall be fixed as the term by which the proceedings in cases of importation are to be regulated. As soon as their decision shall have been reported

to

to us we shall not fail to
apprize Your Excellency of its
purport, in the meantime
we avail ourselves of this
opportunity &c
Cards of the Ministers.

Enclosure N° 2
Despatch N° 281

Legation of the United States
Peking June 28. 1872

Sir:-

I have had the honor to receive from their Excellencies the Ministers of the Yamên a note informing me that the case of transshipment of shell to Japan by the China and Japan Trading Company has been decided, that the Company is released from all responsibility, and that orders have been given to cancel the bond.

This case, the Ministers say, is exceptional and cannot be considered a precedent, and it is announced that after a certain date hereafter to be named, all munitions of war brought within the limits of any of the ports, whether for sale or for transshipment to a foreign country, will be confiscated.

In reply, I have the honor

To H. I. H.

Prince Kung.

&c

to inform Your Imperial Highness that the adjustment of the particular case in question in accordance with the principles of justice and equity, and, as I believe, according to the letter and spirit of the treaties, is highly satisfactory.

I cannot however concur in the Yamên's construction of Rule 3. of the Supplementary Treaty of 1858, — that goods brought into a port for the purpose of transshipment to a foreign country can be considered either an "import" or an "export" in any proper sense.

In view of this, I do not feel at liberty to advise my countrymen that it will be their duty to conform to the notification indicated in their Excellencies note so far as the transshipment of contraband goods is concerned. If such goods should be brought into the ports by American merchants with no intent to land or sell them in China, and an

attempt

attempt be made to confiscate them, I should feel bound to protest against such proceedings.

But while firmly insisting upon the right of transshipment, no objection will be offered to the adoption and enforcement of rules which would absolutely secure the Government against fraud. In foreign countries it is usual in such cases to demand a bond of the owner of the goods equal in amount to their full value, conditioned that he will produce a certificate from the authorities of the port to which they are destined showing that they have been regularly landed there.

Upon the production of such certificate within a certain time named, the bond will be cancelled, otherwise it will be enforced. Such a regulation if adopted at the ports would secure the Government

Government against fraud;
nor would it prove a hardship
to the honest merchant.

In view of these considerations
I have most respectfully to request
that Your Imperial Highness,
and their Excellencies the Ministers
of the Yamên will carefully
reconsider this whole question,
in the hope and confident
expectation that a solution
more in accordance with the
spirit of the treaty and principles
of justice, than the one proposed
in the Yamên's note, will be
found.

With renewed assurances &c
(Signed) Frederick F. Low

Enclosure No 3
Despatch No 231

The Ministers of the Yamên
to His Excellency, the American
Minister.

x x x x x x x x
x x x

On the ninth of August
the Inspector General reported
that the enforcement of the Rule
as proposed would work great
hardships to the merchants;
whereupon we directed him to
reconsider the whole matter and
suggest some new plan. In
response to this Mr. Hart reported,
on the 3rd January 1873, as follows:-

"By treaty merchants are
"prohibited from importing or
"exporting munitions of war for
"sale. But the bringing of such
"goods into a treaty port for
"transshipment is not, properly
"speaking, either an import or an
"export: it is therefore proposed
"to allow them to be transhipped
"under the following conditions:-

When

"When a vessel having munitions
"of war on board enters a Treaty
"port, the consignee must report
"the fact, and also that they are
"intended to be transshipped."

"And the consignee of the
"goods in question must, before
"making application for a
"transshipment certificate, enter
"into a bond to be executed before
"his Consul, binding himself
"to transship the goods within a
"number of days hereinafter
"named, or to forfeit three times
"their value."

"The time within which
"transshipment must be made
"will be fixed by the Commissioner
"of Customs, not to exceed however,
"in any event, 15 days. No
"contraband goods must be
"landed; and the Customs will
"take such precautions as may
"be necessary to prevent fraud
"in transshipment. Whenever
"an invoice of such goods shall

have

"have left the Port, the bond in
"such case shall be cancelled
"and surrendered."

"In case the goods are to
"proceed to their destination in
"the same ship, the consignee of
"the vessel must previous to
"obtaining permission to break
"bulk, give the bond provided
"for above."

The Yamen finds the propo-
sitions of the Inspector General
equitable and proper. The only
thing to consider is the question
of time. The Commissioners
of Customs should take the
circumstances of each case into
consideration and decide upon the
time necessary for transhipment,
it must not exceed in any event,
fifteen days.

Having issued instructions in
accordance with the foregoing to
the Superintendents of Trade
and the Inspector General, we
now beg Your Excellency to

instruct

instruct the Consuls that the above Rules are in force and must be complied with.

It must be borne in mind that according to the treaties munitions of war cannot be imported or dealt in within the limits of the Empire. Heretofore this prohibition has been strictly enforced. With a view however of facilitating commerce the foregoing Rules have been laid down by which contraband goods may be brought into a Chinese port when in transitu to a foreign country.

Should it be found hereafter that the rules are evaded, and under cover of transshipment, contraband goods are brought in and sold, the rules will be rescinded and all importation of such goods for whatever purpose stopped.

We especially request that Your Excellency will cause this

this to be made known to the
merchants at the Ports.

With compliments &c
Cards of the Ministers.

21st January 1873.

Enclosure No 4
Despatch No 231

Legation of the United States.
Peking February 1873.

Sir:-

I have had the honor to receive from their Excellencies, the Ministers of the Yamên, a note concerning a question which has been the subject of discussion between the Yamên and the Foreign Legations;- the transshipment of munitions of war within the limits of a Treaty Port.

The Ministers, after referring to former discussions on this subject, and certain propositions which proved unacceptable, now propose that munitions of war entering a Chinese port, when <u>in transitu</u> to a foreign country, may be reshipped under certain conditions and sent on to their destination.

In reply I have to inform His Imperial Highness Prince Kung.

I. T. A.

G. S. A. that the Rules proposed will generally answer the purpose. Cases may, however, occur in which a strict enforcement of the conditions would work injustice.

The penalty prescribed for violations of the regulations is excessive, and might with great propriety be reduced. On that point, however, I shall offer no serious objection. If the honest merchant can be protected from liability arising from unforseen circumstances, no objection will be made to the infliction of severe penalties in cases where fraud can be proven.

I am, therefore, prepared to accept the Gamin's proposal with this reservation:- when in any given case it shall be made to appear to the Consul that in consequence of exceptional circumstances it was impracticable to complete the transshipment within the

time

time named in the Permit, and that no fraud or collusion has been practiced or attempted, proceedings to enforce the bond given in the case shall not be instituted until the facts are made known to the Minister in Peking, and orders to that effect have been received from him.

It must also be clearly understood that if now or at any time hereafter, more favorable terms are granted to the merchants of any other nation, citizens of the United States shall enjoy the same advantages.

I may add, that if the Yamên mean to assert that the arrangement proposed is a concession entirely outside of treaty, which may be granted or withheld at pleasure, such a declaration cannot be accepted as a correct interpretation of treaty right. In my view the bringing of contraband goods,

when

when in transitu to a foreign country into a treaty port for the purpose of transshipping them to their destination does not constitute an "import" or "export" in any proper sense and therefore is not prohibited by treaty.

I have the honor to be
Your Imperial Highness
Obedient Servant
(Signed) Frederick F. Low

Rec'd May 26 Ackn Mr. Berdan

Copied

Ck

DEPARTMENT OF STATE RECEIVED MAY 22 1873

No 232

Legation of the United States
Peking, February 22, 1873

Frederick F. Low

to

Department of State

FOREIGN AFFAIRS LTR

Subject

A proposal of the Chinese Government to send a written answer to a letter of Credence.

Relates the incidents, and states what seems to be the obvious meaning of this singular proceeding on the part of the Chinese.

No 232

Legation of the United States
Peking, February 22, 1873

Sir:-

An incident, having a bearing more or less direct upon certain questions soon to come up for discussion and, I hope, settlement, happened a few days since.

On the 18th instant three members of the Foreign Office wrote to the German Minister to say that they proposed to pay him a visit on the following day.

Hon Hamilton Fish
Secretary of State

day. The intended visit, they said, was for the purpose of performing a duty with which they had been charged by the Prince; —— delivering into his hands a letter from their Sovereign addressed to the Emperor of Germany. They further said that the letter in question was a reply to one which the German Ministers had handed to Prince Kung when the former returned from Europe last autumn.

Baron Rehfues replied saying, that it would afford him pleasure to receive the visit of the Ministers, but it was impossible for him to say beforehand

beforehand what course it would be proper for him to pursue with reference to the letter; he also said that it was not apparent how a reply could with propriety be made to a letter, a copy of which only had been delivered. He further remarked that the original of his letter of credence was still in his possession, & where, under his instructions, it must remain until a convenient opportunity should be afforded for delivering it to the Emperor in person.

Later in the day Baron Rehfues consulted his colleagues about the matter, and all agreed that

that he should avoid, in the best manner possible and in a way least likely to give offence receiving the letter; for it was apparent that this move could have but one meaning, — an attempt to forestall the action of the foreign representatives who would desire to present their letters of credence to the Emperor as soon as he assumed the duties of Sovereign de facto.

It should be mentioned in this connection, that Baron Rehfues holds three separate letters of credence (from Prussia, The North German Confederation and)

and Germany) copies of which were, at different times, placed in the hands of Prince Kung within the last ten years. No replies were ever sent or proposed to the first two, and none offered to the last until now — less than a week prior to the Emperors coronation.

After the consultation with his colleagues before referred to the German Minister sent his Interpreter, the same evening, to the senior of the three Ministers before mentioned to say, that it would be more satisfactory if they were to come in the first instance without the letter.

G.

If after hearing what they had to say about the matter it should be considered proper to receive and forward the document it could be sent or brought to the Legation afterwards; if it should be decided that he could not receive it the plan suggested would relieve the Ministers from the disagreeable necessity of taking the letter back again to the Prince. The Interpreter was further directed to say that this suggestion was made after consultation with all his Colleagues, and that it had their cordial assent.

Ah

At the time appointed the three ministers came, but without the letter. The Baron explained to them in considerable detail his view of the whole matter, and gave the reasons why he could not consistently receive and forward the letter, chief among which was the fact that the original of the one to which this purported to be a reply was still in his possession, and which he expected to deliver to the Emperor in person very soon. The Chinese ministers declined to venture an opinion as to the time when the Emperor

will

will be willing to see the
Ministers of foreign Governments,
or to discuss any question
except the particular business
with which they had been charged,
and all attempts to elicit
an opinion as to what the
Emperor will do when he
comes to the Throne next must
prove fruitless. Their replies
were constrained and evasive.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low

Ack'd Ade Aug 26

Mr Berdan

Compare Clerk copied

DEPARTMENT RECEIVED MAY 29 1873 OF STATE

No 233 2 Enclosures

Legation of the United States
Peking, February 25, 1873.

Frederick F. Low

to

Department of State

FOREIGN AFFAIRS 1873

Subject

Coronation of the Emperor of China, and the request for audience by the foreign ministers.

States what has been done, and encloses copies and translations of the correspondence touching these subjects.

No 233 2 Enclosures

Legation of the United States
Peking, February 25, 1873.

Sir:-

In conformity with the Decree issued in October last the Emperor was, on the 23d instant, duly invested with full power as Sovereign of the Empire.

In the afternoon of the same day a circular note from the Foreign Office, officially announcing the fact, was received at each of

Hon Hamilton Fish
Secretary of State

of the Foreign Legations. A translation of this note I have the honor to send herewith.

The promptness of the Yamen in making known the fact of the Emperors assumption of authority was so exceptional as to excite remark; it seemed to indicate that the Ministers were prepared to discuss the new questions arising out of a change in the Government. This punctuality of the officials in giving the notification appeared to demand an equally prompt response; nor did it seem wise to omit taking

advantage

advantage of this occasion
to bring to the notice of the
Prince a question which has
remained in abeyance since
the Treaties were signed in 1858
and 1860. It was also
thought advisable to leave
replies take the form of a
Collective Note rather separate
or identical ones, as the former
would indicate that there is
entire accord among the
five Powers represented here
as to the necessity of some
public recognition of the
equality of foreign Governments;
it would also be ~~[illegible]~~ likely
to impress the Imperial Government

More

more strongly with the importance and gravity of the question, and of the necessity for its prompt and satisfactory settlement.

A copy of the reply in French and English is
2/ transmitted herewith.

The request for audience, you will observe, is made in respectful and polite terms. No reason, other than a desire to tender on behalf of our respective Governments our respects and congratulations, is assigned for our request. If further discussion becomes necessary, which is not

unlikely

unlikely, an opportunity will then be afforded to present other and perhaps stronger arguments, such as the necessity of presenting letters of credence, and the propriety of extending to the representatives of the Treaty Powers courtesies similar to those accorded to Chinese ambassadors in Europe and America.

I may add that, I am, as yet, without information as to the views of the Department upon this question. As however a refusal on my part to unite in the request for audience would have prevented joint

joint action by the other Ministers, and as delay in making the request would be likely to lead the Chinese to appear more strongly complainee, I had no hesitation in joining in a movement which I believe to be necessary and which my judgment fully approves.

I trust the Department will take the same view of the matter, and approve of what has been done.

I have the honor to be
Sir,
Your Obedient Servant
Frederick F. Low

Enclosure No 1
Despatch No 233

Prince Kung, Chief Secretary of State for Foreign affairs herewith makes a communication:

A despatch has been received from the Board of Ceremonies to the effect that that Board had been honored by a special decree from His Majesty the Emperor, as follows:

"We are the humble recipient of a decree from Their Majesties, the two Empresses, declaring it to be their pleasure that We being now of full age should in person assume the superintendence of business, and in concert with our officials in the Capital and the Provinces, attend to the work of good government."

"In respectful obedience to the commands of Their Majesties We do in person enter upon the important duty assigned to us on the 26th day of the 1st moon of the 12th year of the reign of Tung Chih."

(23rd February 1873)

As

As it is right and proper that all friendly states should be informed of the fact before stated the Prince, besides addressing a communication to the Ministers of all other Poivers, sends this communication to Mr. Low.

A necessary communication addressed to the American Minister, Mr. Low.

Tung Chih 12th Year, 1st Moon, 26th day,
February 23rd 1873.

Enclosure No 2
Dispatch No 233

Pékin, le 24 Février 1873.

Les soussignés Envoyés Extraordinaires et Ministres Plenipotentiaires de Russie, d'Allemagne, des Etats Unis de l'Amerique du Nord, de la Grande Bretagne et de France, ont reçu, chacun respectivement, la note identique par laquelle Son Altesse Impériale le Prince Kong leur a fait savoir que Sa Majesté l'Empereur de la Chine était entré dans Sa majorité et qu'à partir du 23 Février (26me de la 1ère lune VIIme année du règne Tong-tche) Il a pris en mains l'administration de Ses Etats.

Les soussignés ne peuvent que se réjouir d'un évènement aussi important pour la prospérité de la Chine.

Ils

Son Altesse Impériale
le Prince Kong
&c &c &c

Ils manqueraient à leur devoir si, en cette occasion ils ne demandaient pas à présenter au nom de leurs Gouvernements leurs respects et leurs félicitations à Sa Majesté. C'est pourquoi ils prient Son Altesse Impériale de vouloir bien faire parvenir au Trône l'expression de leur désir et prendre les ordres de Sa Majesté relativement à leur réception.

Les soussignés prient Son Altesse Impériale d'agréer l'assurance de leur haute considération.

(Signé) Calangaly
de Rhefnes
Low
Vade
Geofroy

Enclosure No 2
Despatch No 233

Peking February 24. 1873.

Sir:-

The undersigned Envoys Extraordinary and Ministers Plenipotentiary of Russia, Germany, the United States, Great Britain, and France, have respectively received an identical note by which His Imperial Highness, Prince Kung, has made known that His Imperial Majesty the Emperor of China had attained majority, and that on the 23rd of February (26th day of the 1st moon of the 12th year of Tung Chih) he took into his own hands the administration of the government of the Empire.

The undersigned can only express their joy at so important an event for China's prosperity, and they would fail in their duty were they to omit availing

His Imperial Highness
Prince Kung.

themselves

themselves of this opportunity to present in the name of their Governments their respects and congratulations to H. M. the Emperor.

To this end, they have most respectfully to request that His Imperial Highness will lay before the Throne this expression of their desire and take His Imperial Majestys orders with reference to their reception.

The undersigned beg Your Imperial Highness to accept the assurances of their high consideration.

(Signed) Blangaly
de Rehfues
Low
Wade
Geofroy

Ent Ack^d



No 234

Legation of the United States
Peking, February 28, 1873.

Frederick F. Low

to -

Department of State

Subject

Reception of Department despatches.

Acknowledges the receipt of despatches numbered 113, 114 and 115.

No 234

Legation of the United States
Peking, February 28, 1873

Sir:-

The mail from San Francisco January 6, bringing me your despatches numbered 113, 114 and 115, reached Peking yesterday.

I am, Sir,
Your obedient servant
Frederick F. Low

Hon Hamilton Fish
Secretary of State

Encl

Mr Wood for report verbally as to -

Mr. Badeau

ackd

DEPARTMENT RECEIVED MAY 29 1873 OF STATE.

No 235 One Enclosure

Legation of the United States
Peking, March 3d, 1873

Frederick F Low

to

Department of State

Subject

Resignation of the Vice Consul at Chefoo.

Encloses Mr Wilson's letter of resignation

No 235 One Enclosure

Legation of the United States
Peking, March 3, 1873

Sir:-

Herewith I beg to transmit the resignation of James Wilson as Vice Consul at Chefoo.

In view of the fact that that Consulate has been, by order of the Department, placed under the control of the Consul at Tientsin, and as that officer has now gone to Chefoo for the purpose of taking charge until a suitable person can be found to act as Consular Agent,

Hon Hamilton Fish
Secretary of State

Nothing

nothing seems to
done here.

The work
Consulate and
ment will, I do
more satisfactory
than has been
I have
Your ob
Frederic

Enclo
No 1 Letter of resig
Wilson as Vi
Chefoo. D

o necessary to be

nking of that

du the new arrang-

l doubt not, prove

story to all concerned

e this case hitherto.

ave the honor to be

Sir,

obedient Servant

uick F. Lord

closure

esignation of James

Vice Consul at

December 25. 1872

Sir

To the Secretary of War

Enclosure No 1
Dispatch No 235

Hong Kong 28th December 1872

mes, having rendered it
to leave China for
ow beg to resign my
ese Consul at Chefoo.
the Consulate in the
m Alexander Cornabé
as Sec Consul till the
artments are known.

I have the honor to be
Sir
Your most obt servant

Jas Thompson
Sec Consul for Chefoo

Exh Ade May 26 — Mr. Borden Actg. — For. Rel copied

DEPARTMENT RECEIVED MAY 29 1873 OF STATE.

No 236

Legation of the United States
Peking, March 8, 1873.

Frederick F. Low
to
Department of State

FOREIGN Relations '73

Subject

Instructions of the Department concerning the demand for an audience of the Emperor.

Comments on same; and gives reasons why this question should be settled without delay.

Dear

No 236

Legation of the United States
Peking, March 8, 1873.

Sir:-

I have to thank you for the instructions contained in your No 115, which reached me at an opportune moment.

Your views concerning the whole question are comprehensive, and just to all concerned; and the instructions furnished me for my guidance do not vary in the smallest particular from those I would have prescribed for myself had the whole matter left to my own

Hon Hamilton Fish
Secretary of State

own discretion.

The importance of the question and the necessity that exists for its proper and speedy settlement cannot well be over-estimated; therefore to push for its solution now is, in our judgment, a duty which all the Treaty Powers owe alike to themselves and the Chinese. If it is not settled now, it probably never will be through peaceful agencies. By this I would not be understood as asserting that the refusal of the Emperor to receive foreign Ministers ~~will~~ could be properly considered a Casus belli. ~~What~~ I do mean is, that unless

a

a public recognition of the
entire equality of other nations
be made in the manner proposed,
without conditions that would be
considered derogatory, relations
will grow worse and worse until
some overt act is committed
which will provoke hostilities.

I have not failed to
note your observations upon
the small value which the
Government and people of the United
States place upon questions of
ceremony. In this connection
I beg to say, that to such questions
generally I attach little importance,—
— up. I expect, than most of
our people do. In the present

Case

case however, substance is involved in form and ceremony, and cannot well be separated.

It may be doubted whether delay in making an effort looking to recognition of equality, now that the Emperor is on the Throne, would be less harmful than a refusal of the demand whenever it is made, for the Chinese fully expected it as soon as the Emperor attained his majority, and any hesitation on the part of foreign Governments would have been set down to cowardice.

My action, as reported in my № 233, only anticipated

Your

your instructions a few days;
in the future I shall endeavor
to follow the directions laid down
by the Department in a prudent
and careful manner.

Speculations as to the
future would be valueless; therefore
I shall content myself with
reporting from time to time events
as they occur.

I have the honor to be
Sir,
Your obedient servant
Frederick F. Low